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ABSTRACT

This manual provides school bus drivers and school officials with pertinent material relating to safe and efficent school transportation. Chapter I presents the laws governing pupil transportation. Oregon motor vehicle laws are identified by an ORS (Oregon Revised Statute) number, and pupil transportation regulations are identified by an OAR (Oregon Administrative Rule) number. Chapter II defines regulations governing pupil transportation administration. Chapter III presents the regulations governing pupil transportation operation, and chapter IV includes various advisory materials. (SI)

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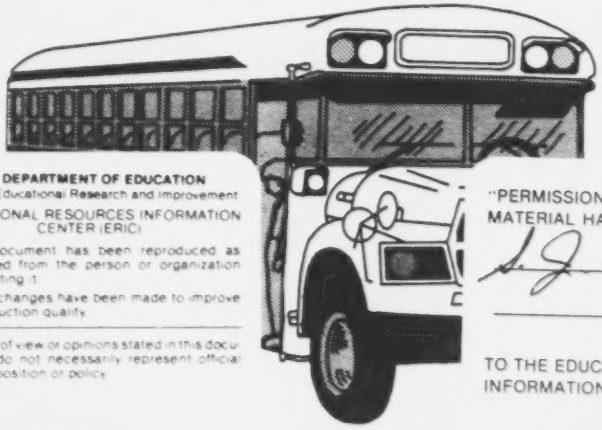
1989

OREGON PUPIL TRANSPORTATION MANUAL



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1989

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FOREWORD

Every day of the school year some 215,000 students are transported to and from school in 4,200 school buses. The drivers of these buses need to be capable of giving top-notch performance while on duty. Every minute a school bus is in operation, the safety and welfare of every student, the driver, the bus itself, and even the regulation of traffic, depends on the driver's skill, knowledge, judgment, and decisions.

The primary responsibility for pupil transportation rests with the local schools. However, the Oregon Department of Education is required by law to adopt and enforce standards of construction for safe and economical operation.

This manual has been prepared to provide school bus drivers and school officials with pertinent material relating to safe and efficient school transportation. It is **not** intended to take the place of the motor vehicle laws, school laws, or first aid manual. Rather, it is a reference source for answering the day-to-day questions that arise in connection with the school bus driver's job. Every driver should be thoroughly acquainted with the contents of this publication. The manual's size and format are designed to be conducive for storage in a school bus glove compartment.

Oregon motor vehicle laws are passed by the Oregon legislature and are identified by an ***ORS*** (Oregon Revised Statute) number. Pupil transportation regulations are adopted by the State Board of Education and are identified by an **OAR** (Oregon Administrative Rule) number. In this manual, ***laws and regulations are printed in italic***. Advisory material is printed in standard type.

John P. Fairchild, Coordinator
Pupil Transportation Services

Note: No attempt has been made in this manual to address the NEW Motor Vehicle Commercial Driver License regulations.

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CHAPTER I

LAWS GOVERNING PUPIL TRANSPORTATION

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PUPIL TRANSPORTATION PERMITTED

ORS 332.405 Transportation; board and room; pedestrian facilities.

(1) The district school board may provide transportation for pupils or combinations of pupils and other persons to and from school-related activities when considered advisable by the board.

(2) Instead of transportation, the board may furnish board and room for pupils when reasonable board and room can be provided at equal or less expense than transportation.

(3) The transportation costs or expenses for board and room may be paid from district funds.

(4) The district school board may expend district funds to improve or provide for pedestrian facilities off district property if the board finds that the expenditure reduces transportation costs of the district and enhances the safety of pupils going to and from schools of the district.

<Formerly 338.010; 1981 c.237 s.1; 1981 c.403 s.3>

This law is permissive only and does not require transportation.

DEFINITION OF A SCHOOL BUS

ORS 801.460 "School bus."

"School bus" means a motor vehicle that is described by any of the following:

(1) A vehicle that is marked with or displays the words "school bus."

(2) A vehicle that is used to transport students to or from school and may be used to transport students to or from authorized school activities or functions and that is not a vehicle described by any of the following:

(a) A vehicle subject to regulation under ORS chapter 767.

(b) A vehicle regulated by a city under ORS 221.420.

(c) A vehicle, commonly known as a private passenger car or private passenger van, that is used by the owner of the vehicle or a relative of the owner of the vehicle for personal transportation of students to or from school or school activities and is not used for compensation except for the sharing of expenses in a ridesharing arrangement or reimbursement of mileage.

(d) A vehicle that is exempted from regulation as a school bus under ORS 820.150.

<1983 c.338 s.84; 1985 c.16 s.23; 1985 c.420 s.1>

SCHOOL BUS MARKINGS

ORS 820.160 Illegal display of school bus markings; penalty.

(1) A person commits the offense of illegal display of school bus markings if the person displays the words "School Bus" on any vehicle unless the vehicle:

(a) Is used in transporting school children to or from school or an authorized school activity or function; and

(b) Complies with the applicable requirements under rules established under ORS 820.100 to 820.120.

(2) The offense described in this section, illegal display of school bus markings, is a Class C traffic infraction.

<1983 c.338 s.750; 1985 c.393 s.52>

ORS 820.170 Improper school bus markings; penalty.

(1) A person commits the offense of improper school bus markings if the person displays the words "School Bus" on a vehicle without such words being marked in the front and in the rear in letters eight inches high or higher and of proportionate width.

(2) The offense described in this section, improper school bus markings, is a Class C traffic infraction.

<1983 c.338 s.751; 1985 c.393 s.53>

The effect of these laws is to make it illegal to have the words "School Bus" on any vehicle which does not meet *all* of the requirements in **ORS 820.100 to 820.120** including construction standards established by the Oregon Department of Education. These standards are filed as **Oregon Administrative Rules 581-53-502 through 581-53-527** and are published as ***Minimum Standards for Oregon School Buses***.

SCHOOL BUS USE REQUIRED

OAR 581-53-535

(1) Vehicles manufactured after April 1, 1977, with a capacity of more than 10 persons, that are used to transport students to and from school shall be a school bus as defined in ORS 801.460.

(2) Vehicles manufactured prior to April 1, 1977, with a capacity of 10 or more persons, that are used to transport students to and from school shall not be entered into a fleet for the first time after June 1, 1986.

ACTIVITY VEHICLES

ORS 801.455 "School activity vehicle."

"School activity vehicle" means a vehicle, other than a school bus, that is used to transport students to or from authorized school activities and that is not described by any of the following:

(1) A vehicle under regulation of the Public Utility Commissioner of Oregon, the United States Department of Transportation or the Interstate Commerce Commission.

(2) A vehicle, commonly known as a private passenger car or private passenger van, that is used by the owner of the vehicle or a relative of the owner of the vehicle for personal transportation of students to or from school activities and is not used for compensation except for the sharing of expenses in a ridesharing arrangement or reimbursement of mileage.

(3) A vehicle that is exempted from regulation as a school activity vehicle under ORS 820.150.

<1985 c.420 s.3>

The effect of this law is to have all school activity vehicles meet certain requirements for construction, inspection and operation unless specifically exempted. Any school activity vehicle with a seating capacity of more than 20 persons (NOT including the driver) must be driven by a licensed school bus driver subject to school bus driver regulations.

Requirements:	Listed in **OAR 581-53-545 through 555.**
Exemptions:	Listed in **OAR 581-53-540 and ORS 801.455(1)(2).**

STOPPING, STANDING, PARKING PROHIBITED

ORS 811.550 Places where stopping, standing and parking prohibited.

This section establishes places where stopping, standing and parking a vehicle are prohibited for purposes of the penalties under ORS 811.555. Except as provided under an exemption in ORS 811.560, a person is in violation of ORS 811.555 if a person parks, stops or leaves standing a vehicle in any of the following places:

(1) Upon a roadway outside a business district or residence district, whether attended or unattended, when it is practicable to stop, park or leave the vehicle standing off the roadway. Exemptions under ORS 811.560 (1) and (7) are applicable to this subsection.

(2) On a shoulder, whether attended or unattended, unless a clear and unobstructed width of the roadway opposite the standing vehicle is left for the passage of other vehicles and the standing vehicle is visible from a distance of 200 feet in each direction upon the roadway or the person, at least 200 feet in each direction upon the roadway, warns approaching motorists of the standing vehicle by use of flagpersons, flags, signs or other signals.

(3) On the roadway side of a vehicle stopped or parked at the edge or curb of a highway. Exemptions under ORS 811.560 (7) are applicable to this subsection.

(4) On a sidewalk. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.

(5) Within an intersection. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.

(6) On a crosswalk. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.

(7) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs and markings. For purposes of this subsection the safety zone must be an area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.

(8) Alongside or opposite a street excavation or obstruction when stopping, standing or parking would obstruct traffic. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.

(9) Upon a bridge or other elevated structure upon a highway. Exemptions under ORS 811.560 (4) to (8) are applicable to this subsection.

(10) Within a highway tunnel. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.

(11) On any railroad tracks or within seven and one-half feet of the nearest rail at a time when the parking of vehicles would conflict with railroad operations or repair of the railroad tracks. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.

(12) On a throughway. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.

(13) In the area between roadways of a divided highway, including crossovers. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.

(14) At any place where traffic control devices prohibit stopping. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.

(15) In front of a public or private driveway. Exemptions under ORS 811.560 (2) and (4) to (7) are applicable to this subsection.

(16) Within 10 feet of a fire hydrant. Exemptions under ORS 811.560 (2) and (4) to (7) are applicable to this subsection.

(17) Within 20 feet of a crosswalk at an intersection. Exemptions under ORS 811.560 (2) and (4) to (7) are applicable to this subsection.

(18) Within 50 feet upon the approach to an official flashing signal, stop sign, yield sign or traffic control device located at the side of the roadway if the standing or parking of a vehicle will obstruct the view of any traffic control device located at the side of the roadway. Exemptions under ORS 811.560 (2) and (4) to (7) are applicable to this subsection.

(19) Within 15 feet of the driveway entrance to a fire station and on the side of a street opposite the entrance to a fire station, within 75 feet of the entrance. Exemptions under ORS 811.560 (2) and (4) to (7) are applicable to this subsection.

(20) At any place where traffic control devices prohibit standing. Exemptions under ORS 811.560 (2) and (4) to (7) are applicable to this subsection.

(21) Within 50 feet of the nearest rail of a railroad crossing. Exemptions under ORS 811.560 (3) to (7) are applicable to this subsection.

(22) At any place where traffic control devices prohibit parking. Exemptions under ORS 811.560 (3) to (7) are applicable to this subsection.

(23) On a bicycle lane. Exemptions under ORS 811.560 are applicable to this subsection.

(24) On a bicycle path. Exemptions under ORS 811.560 are applicable to this subsection.

<1983 c.338 s.669; 1985 c.21 s.1; 1985 c.334 s.1>

These provisions apply to school buses also, even if the red lights are flashing with the exception of subsection (1).

RESPONSIBILITIES OF THE DEPARTMENT OF EDUCATION

ORS 820.100 Adoption of safety standards for construction and equipment of school vehicles; rules.

(1) The Department of Education shall adopt and enforce such reasonable standards relating to school bus and school activity vehicle construction and school bus and school activity vehicle equipment as the department deems necessary for safe and economical operation.

(2) The State Board of Higher Education may adopt and enforce separate rules of the type described under this section for school busses and school activity vehicles that are under its jurisdiction.

(3) Rules adopted under this section:

(a) Must be consistent with requirements established by statute or by rule adopted under statutory authority that relate to the same subject.

(b) Shall be consistent with minimum uniform national standards, if such standards exist.

(c) May include different requirements for different classes or types of school busses or school activity vehicles.

(d) May include any exemptions determined appropriate under ORS 820.150.

<1983 c.338 s.747; 1985 c.16 s.358; 1985 c.420 s.12>

ORS 820.110 Rules for driver qualification and training and accident reports.

(1) The Department of Education shall adopt and enforce rules, as the department deems necessary and proper, to establish requirements of operation, qualifications or special training of drivers and special accident reports for school busses and school activity vehicles.

(2) The State Board of Higher Education may adopt and enforce separate rules of the type described under this section for school busses and school activity vehicles that are under its jurisdiction.

(3) The rules adopted under this section:

(a) Are subject to ORS 820.190 and 820.200 and to any other statute or regulation relating to the operation of vehicles, qualifications of drivers and accident reports.

(b) Must be consistent with requirements established by statute or by rule adopted under statutory authority that relate to the same subject.

(c) May include different requirements for different classes or types of school busses or school activity vehicles.

(d) May include any exemptions determined appropriate under ORS 820.150.

<1983 c.338 s.748; 1985 c.16 s.359; 1985 c.420 s.13>

ORS 820.120 Rules for school vehicle inspection.

(1) The Department of Education shall adopt and enforce rules, as the department deems necessary and proper, to provide for the inspection of school busses and school activity vehicles to assure that the vehicles are in compliance with requirements under rules established under ORS 820.100 and 820.110, as applicable, and that the vehicles are safe for operation. The rules may include intervals of inspections.

(2) The State Board of Higher Education may adopt and enforce separate rules of the type described under this section for school busses and school activity vehicles that are under its jurisdiction.

(3) The rules adopted under this section:

(a) Are subject to any other statute or regulation relating to the safety of vehicles for operation and the inspection of vehicles.

(b) May include different requirements for different classes or types of school busses or school activity vehicles.

(c) May include any exemptions determined appropriate under ORS 820.150.

<1983 c.338 s.749; 1985 c.420 s.14>

This law requires the Oregon Department of Education to regulate pupil transportation in Oregon. It is the authority under which all regulations pertaining to pupil transportation have been adopted by the Oregon Department of Education.

SCHOOL BUS SAFETY LIGHTS

ORS 816.260 Bus safety lights.

Each of the following is a requirement for bus safety lights:

(1) Bus safety lights shall include at least two of each color of light on the front of the vehicle and at least two of each color of light on the rear of the vehicle.

(2) Bus safety lights shall include red and amber lights.

(3) Each bus safety light shall alternately flash with the bus safety lights of the same color that are placed on the same end of the vehicle displaying the lights.

<1983 c.338 s.458(23); 1985 c.16 s.240(23); 1985 c.69 s.1(23); 1985 c.71 s.4(23); 1985 c.393 s.13(23); 1985 c.420 s.6(23)>

PROHIBITED LIGHTS

ORS 816.350 Prohibitions on number and kind of lights for certain vehicles.

This section establishes requirements for ORS 816.360. When specific types of lighting equipment are mentioned by this section, those types are types described under ORS 816.040 to 816.290. Except as allowed under this section or where an exemption under ORS 816.370 specifically provides otherwise, a vehicle that does not comply with this section is in violation of ORS 816.360:

(8) Except as otherwise allowed under this section, only the following vehicles may be equipped with bus safety lights:

(a) School busses.

(b) Worker transport busses.

(c) Vehicles issued a permit under ORS 818.260.

SCHOOL BUS STOP LAW

ORS 811.155 Failure to stop for bus safety lights; penalty.

(1) A driver commits the offense of failure to stop for bus safety lights if the driver meets or overtakes from either direction any vehicle that is stopped on a roadway and that is operating red bus safety lights described under ORS 816.260 and the driver does not:

(a) Stop before reaching the vehicle; and

(b) Remain standing until the bus safety lights are no longer operating.

(2) The following apply to the offense described in this section:

(a) The offense described in this section does not apply if the vehicle operating the bus safety lights is not permitted under ORS 816.350 and 816.360 to operate red bus safety lights.

(b) A driver need not comply with this section if the vehicle operating red bus safety lights is stopped on a different roadway.

(3) The offense described in this section, failure to stop for bus safety lights, is a Class A traffic infraction.

<1983 c.338 s.583; 1985 c.16 s.290>

USE OF LIGHTS AND WARNINGS (Lights)

ORS 811.515 When lights must be displayed; kind of light; number; direction; use on certain vehicles.

This section establishes requirements for ORS 811.520. Except where an exemption under ORS 811.525 specifically provides otherwise, a vehicle that does not comply with this section is in violation of ORS 811.520. Where specific types of lighting equipment are mentioned in this section, those types are types described in ORS 816.040 to 816.290. The requirements under this section are as follows:

(12) Bus safety lights shall only be operated in accordance with the following:

(a) The lights may be operated when the vehicle is stopping or has stopped for the purpose of loading or unloading students who are going to or from any school or authorized school activity or function.

(b) The lights may be operated when the vehicle is stopping or has stopped for the purpose of loading or unloading workers from worker transport busses.

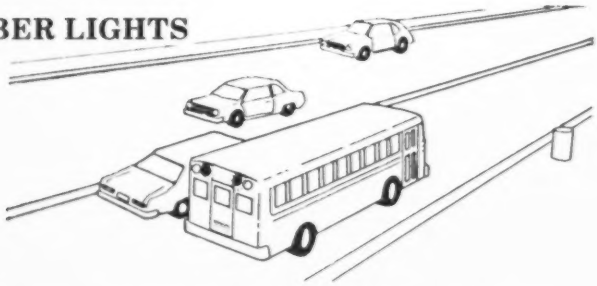
(c) The lights may be operated when the vehicle is stopping or has stopped for the purpose of loading or unloading children being transported to or from religious services or an activity or function authorized by a religious organization.

(d) The lights may be operated when the vehicle is stopping or has stopped in a place that obstructs other drivers' ability to see the bus safety lights on another vehicle.

(e) Notwithstanding any other paragraph of this subsection, the lights shall not be operated if the vehicle is stopping or has stopped at an intersection where traffic is controlled by electrical traffic control signals, other than flashing signals, or by a police officer.

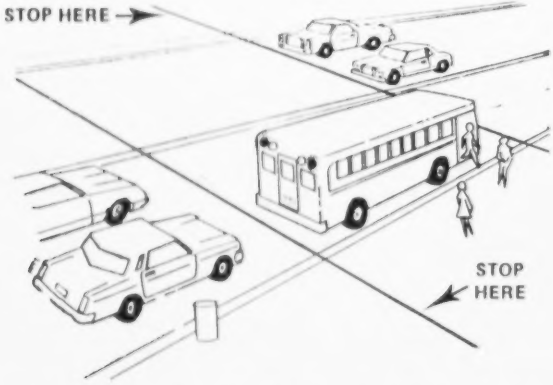
(f) Notwithstanding any other paragraph of this subsection, the lights shall not be operated if the vehicle is stopping or has stopped at a loading or unloading area where the vehicle is completely off the roadway.

AMBER LIGHTS

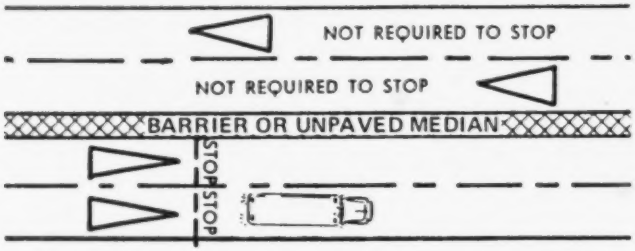


Bus is approaching stop on roadway, amber lights flashing. Traffic may proceed with caution.

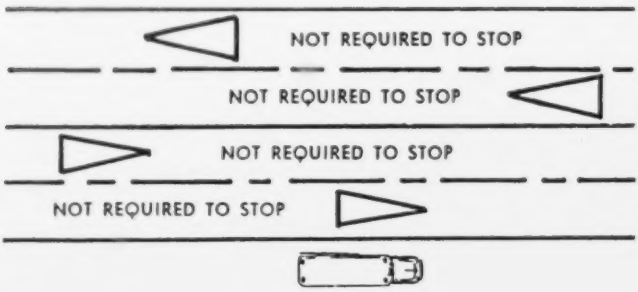
RED LIGHTS



Bus is stopped in right-hand traffic lane, red lights flashing. Children may be crossing highway, or the shoulder may be too narrow for bus to get completely off the main traveled portion of the highway. Cars must stop and remain stopped as long as red lights are flashing.



Bus is stopped in right-hand traffic lane, red lights flashing. There is a barrier or unpaved median, and the shoulder is too narrow to get completely off the main traveled portion of the highway. Cars overtaking bus must stop and remain stopped as long as red lights are flashing. Approaching traffic may proceed. A painted median strip or a center lane used only for a left turn refuge does not create two separate roads.



Bus is stopped completely off main traveled portion of the highway and no children are crossing highway. Use of flashing red lights is illegal, and traffic is not required to stop. **(ORS 811.515(12)(f))**

OAR 581-53-015

(8) Use of Bus Safety Lights:

(a) When pupils must cross the highway to board, or after leaving the bus, the driver shall actuate the amber flashing warning lights 100 to 300 feet before the stop. The driver shall stop the bus in the right hand traffic lane. The red lights shall remain flashing until all pupils have safely crossed the roadway.

(b) When pupils need not cross the roadway to board, or after leaving the bus, the driver shall:

(A) When practicable, stop completely off the main traveled portion of the roadway. The driver shall not actuate the bus safety lights.

(B) Where it is not practicable to stop completely off the main traveled portion of the roadway the driver shall actuate the amber bus safety lights 100 to 300 feet before the stop. The driver shall stop the bus in the right-hand traffic lane. The red lights shall remain flashing until pupils have safely boarded or left the bus.

SCHOOL BUS STOP ARMS

ORS 820.105 ***Notwithstanding any other provision of law, school buses may be equipped with an octagonal shaped mechanical stop arm that indicates when the bus is stopped to load or unload passengers on a roadway . . . .***

Stop arms are allowed on an optional basis. It is recommended that any bus that replaces a regular route bus with a stop arm be equipped with a stop arm itself to provide consistency of bus safety light usage for the motoring public.

Explanation of Stop Laws

1. When the bus is stopped in the right-hand lane of traffic on an undivided highway, to load or unload pupils, all traffic must stop.

2. When the bus is stopped off the main traveled portion of the highway, traffic is not required to stop. It is illegal to use the bus safety lights when stopped off the main traveled portion of the highway. Bus must be either completely in or completely out of the traffic lane.

3. When the bus is stopped in the right-hand lane of traffic on a highway divided by a barrier or unpaved median strip, only traffic going the same direction as the bus must stop. Approaching traffic may proceed.

How to Make the School Bus Stop Law Effective

The school bus driver must be alert and prepared for any emergency. The driver must anticipate conditions on the road ahead as well as to the rear to avoid accident-producing situations. The following suggestions will help the driver make the stop law effective.

1. When practicable, avoid loading and unloading pupils at intersections. It is suggested that stops be made at least 100 feet from an intersection. The driver should instruct pupils in how to cross the road safely if they must do so. If a traffic signal is in operation at the nearby intersection, the driver may instruct pupils to cross at the intersection and obey the traffic signal.

2. The school bus driver should load or discharge students on their residence side of the highway whenever practicable.

3. The school bus driver must use ingenuity and good judgment to keep traffic moving and still protect the students. This can be accomplished:

    a. By stopping on the main traveled portion of the highway only when necessary.
    b. By turning off the bus safety lights only after students are safely across the highway or are safely loaded or unloaded, then driving slowly on the shoulder of the highway, if feasible, to permit following traffic to pass.
    c. By adhering strictly to the provisions of the law and regulations governing the use of the bus safety lights.

A warrant for the arrest of a violator may be obtained provided the bus driver can make positive identification of the offending driver. However, this is seldom possible. Assistance of local police agencies should be requested for special trouble situations.

ORS 811.157 Report by driver of violation of ORS 811.155; contents.

(1) The driver of a school bus, worker transport bus or a bus issued a permit under ORS 818.260 may report a violation of ORS 811.155 to the local

law enforcement agency having jurisdiction over the area where the violation is alleged to have occurred.

(2) A report under subsection (1) of this section shall be made within 72 hours of the alleged violation and shall contain:

(a) The date and time of day of the alleged violation;

(b) The name of the street on which the bus was travelling at the time of the alleged violation and either the approximate address or the name of the closest intersecting street;

(c) The direction in which the bus was travelling and the direction in which the vehicle alleged to have committed the violation was travelling;

(d) The weather conditions, including visibility, at the time of the alleged violation; and

(e) The following information about the vehicle alleged to have committed the violation:

(A) Number and state of issuance of the registration plate; and

(B) Whether the vehicle is a sedan, station wagon, van, truck, bus, motorcycle or other type of vehicle.

(3) In addition to the information required by subsection (2) of this section, the report may contain any other identifying information, including but not limited to color of the vehicle, that the reporting bus driver has about the vehicle or driver of the vehicle alleged to have committed the violation.

ORS 811.159 Law enforcement agency response to report of violation of ORS 811.155.

Upon receipt of a report containing the information required by the subsection (2) of section 2 of this 1987 act, the law enforcement agency shall determine the name and address of the registered owner of the vehicle and shall send the registered owner a letter informing the owner that the vehicle was observed violating ORS 811.155. The letter shall include, at a minimum, information from the report filed under section 2 of this 1987 Act specifying the time and place of the alleged violation.

IMPEDING TRAFFIC

ORS 811.130 Impeding traffic; penalty.

(1) A person commits the offense of impeding traffic if the person drives a motor vehicle or a combination of motor vehicles in a manner that impedes or blocks the normal and reasonable movement of traffic.

(2) A person is not in violation of the offense described under this section if the person is proceeding in a manner needed for safe operation.

(3) The offense described in this section, impeding traffic, is a Class C traffic infraction.

<1983 c.338 s.569; 1985 c.16 s.288>

Bus drivers should stop the bus out of the traffic lane when safe and practical to do so to allow vehicles accumulated behind the bus to pass. Drivers should determine safe turnouts on the bus route. Use of the same turnouts each day is an advantage to the bus driver and other motorists.

RAILROAD CROSSINGS

ORS 811.460 Failure to follow rail crossing procedures for high-risk vehicles; application; penalty.

(1) A person commits the offense of failure to follow rail crossing procedures for high-risk vehicles if the person takes any vehicle described in this section across any railroad tracks at grade without doing all of the following:

(a) Stopping the vehicle at a clearly marked stop line or, if there is not a clearly marked stop line, not less than 15 feet nor more than 50 feet from the nearest rail of the railroad.

(b) While so stopped, listening and looking in both directions along the tracks for approaching trains and for signals indicating approaching trains.

(c) Proceeding across the tracks after stopping only when such movement can be performed safely in the gear of the motor vehicle that does not require manually changing gears while proceeding.

(d) Proceeding across the tracks without manually changing gears.

(2) This section applies to the following vehicles when moved across railroad tracks:

(a) A school bus.

(b) A school activity vehicle with a loaded weight of 10,000 pounds or more.

(c) A worker transport bus.

(d) Any bus operated for transporting children to and from church or an activity or function authorized by a church.

(e) Any vehicle used in the transportation of persons for hire by a nonprofit entity as provided under ORS 767.025 (13).

(f) A commercial bus.

(g) A motor vehicle carrying as a cargo or part of a cargo any explosive substance, inflammable liquids, corrosives or similar substances or any cargo that the Public Utility Commissioner determines to be hazardous. For purposes of this paragraph, the Public Utility Commissioner may only determine a substance to be hazardous by rule. Any rules adopted by the Public Utility Commissioner to determine hazardous substances must be consistent with substances classified as hazardous by the United States Secretary of Transportation.

(3) Exemptions to this section are provided under ORS 811.465.

(4) The offense described in this section, failure to follow in rail crossing procedures for high-risk vehicles, is a Class C traffic infraction.

<1983 c.338 s.649; 1985 c.16 s.318; 1985 c.420 s.9>

ORS 811.465 Exemptions from high-risk vehicle rail crossing procedures.

This section establishes exemptions from the special crossing procedures established for high-risk vehicles under ORS 811.460. The exemptions are partial or complete as described in the following:

(1) The vehicles are not required to comply with the procedures at a crossing of a street or highway and street railway tracks.

(2) The vehicles are not required to comply with the procedures when crossing interurban electric tracks where traffic control signals are in operation and give indication to approaching vehicular traffic to proceed.

(3) The vehicles are not required to comply with the procedures when crossing any railway tracks upon which operation has been abandoned and for which the Public Utility Commissioner has plainly marked that no stop need be made.

(4) The vehicles are not required to comply with the procedures when crossing industry track crossings across which train operations are required by law to be conducted under flag protection.

(5) The vehicles are not required to comply with the procedures when crossing industry track crossings within districts in which the designated speed of vehicles is 20 miles per hour or less.

(6) Vehicles are not required to comply with the procedures when crossing any crossing where an officer directs traffic to proceed or where an operating traffic control signal indicates that other traffic may proceed.

(7) Vehicles are not required to comply with the procedures when crossing any crossing protected by crossing gates. The exemption under this subsection does not apply to school busses or school activity vehicles which are required to stop at crossings with crossing gates under ORS 811.460.

(8) Except when a train is approaching, the driver of a commercial bus is not required to stop at crossings where the Public Utility Commissioner has determined and plainly marked that no stop need be made.

<1983 c.338 s.650; 1985 c.420 s.10>

Note: Any school bus, as well as school activity vehicles with a loaded weight of 10,000 pounds or more, must stop at a crossing protected by a gate even though a traffic light in conjunction with the gate indicates traffic may proceed.

OAR 581-53-015

(4) After stopping at a railway crossing as required by law, the driver shall open the bus entrance door and driver window, look and listen for an approaching train, then close the door before proceeding across the track.

If visibility is poor, the driver may have to rely even more on hearing. The driver must open the window as well as the door and should control the noise level by instructing the students to be quiet and by turning off any radio equipment.

The bus should be stopped near the right-hand edge of the right traffic lane. If conditions permit, the driver may pull off the traveled portion of the road to permit following traffic to pass. The use of hazard warning lights is suggested at railroad stops. The use of the bus safety lights is, of course, illegal.

SPEED LAWS

SPEED (Basic Rule)

ORS 811.100 Violation of basic speed rule; penalty.

(1) A person commits the offense of violating the basic speed rule if the person drives a vehicle upon a highway at a speed greater than is reasonable and prudent, having due regard to all of the following:

- ***(a) The traffic.***
- ***(b) The surface and width of the highway.***
- ***(c) The hazard at intersections.***
- ***(d) Weather.***
- ***(e) Visibility.***
- ***(f) Any other conditions then existing.***

(2) The following apply to the offense described in this section:

- ***(a) The offense is as applicable on an alley as on any other highway.***
- ***(b) Speeds that are prima facie evidence of violation of this section are established by ORS 811.105.***

(c) This section and ORS 811.105 establish limitation on speeds that are in addition to maximum speeds established and subject to penalty as described in the following:

(A) A fuel conservation maximum speed limit under ORS 811.110.

(B) Maximum speeds for motor trucks and passenger transport vehicles under ORS 811.115.

(C) Maximum speeds on ocean shores under ORS 811.120.

(3) The offense described in this section, violating the basic speed rule, is a Class B traffic infraction.

<1983 c.338 s.563>

A person must always drive at a speed that will permit the driver to maintain proper control of the vehicle under all conditions.

ORS 811.115 Violation of maximum speed for trucks and passenger transport vehicles; penalty.

(1) A person commits the offense of violation of the maximum speed for motor trucks and passenger transport vehicles if the person drives any of the following vehicles at a speed greater than fifty-five miles per hour on any highway:

(a) A motor truck with a registration weight of more than 8,000 pounds.

(b) A school bus.

(c) A school activity vehicle.

(d) A worker transport bus.

(e) A bus operated for transporting children to and from church or an activity or function authorized by a church.

(f) Any vehicle used in the transportation of persons for hire by a nonprofit entity as provided in ORS 767.025 (13).

(2) The following apply to this section:

(a) This section does not apply to ambulances.

(b) Notwithstanding any other provision of this section, the motor vehicles referred to in this section are subject to the provisions of the basic speed rule under ORS 811.100.

(3) The offense described in this section, violation of maximum speed for motor trucks and passenger transport vehicles, is a Class B traffic infraction.

<1983 c.338 s.566; 1985 c.420 s.8>

The maximum speed limit for school buses and school activity vehicles is 55 m.p.h. but slower speeds may be required under the provisions of the basic speed law.

ORS 811.105 Speeds that are evidence of basic rule violation.

Any speed in excess of any of the following designated speeds is prima facie evidence of violation of the basic speed rule under ORS 811.100:

(1) Any speed posted by authority granted under ORS 810.180.

(2) If no speed is posted, any speed in excess of one of the following designated speeds is prima facie evidence of violation of the basic speed rule:

(a) Fifteen miles per hour when driving on an alley.

(b) Twenty miles per hour in a business district.

(c) Twenty miles per hour when passing school grounds or a school crosswalk if:

(A) Children are present; and

(B) Notice of the grounds or crosswalk is indicated plainly by traffic control devices conforming to the requirements established under ORS 810.200 and posted under authority granted by ORS 810.210.

(d) Twenty-five miles per hour in any residence district or public park.

(e) Fifty-five miles per hour in locations not otherwise described in this section.

<1983 c.338 s.564; 1985 c.16 s.286>

When signs or signals identify a school grounds or school crosswalk the maximum speed is 20 m.p.h. when children are present.

LANE USAGE

ORS 811.325 Failure to keep camper, trailer or truck in right lane; exceptions; penalty.

(1) A person commits the offense of failure to keep a camper, trailer or truck in the right lane if the person is operating any of the vehicles described in this subsection and the person does not drive in

the right lane of all roadways having two or more lanes for traffic proceeding in a single direction. This subsection applies to all of the following vehicles:

(a) Any camper.

(b) Any vehicle with a trailer.

(c) Any vehicle with a loaded weight or registration weight of 8,000 pounds or more.

(2) This section does not require the described vehicles to be driven in the right lane under any of the following circumstances:

(a) When overtaking and passing another vehicle proceeding in the same direction under the rules governing this movement in ORS 811.410 to 811.425 when such movement can be made without interfering with the passage of other vehicles.

(b) When preparing to turn left.

(c) When reasonably necessary in response to emergency conditions.

(d) To avoid actual or potential traffic moving onto the right lane from an acceleration or merging lane.

(e) When necessary to follow traffic control devices that direct use of a lane other than the right lane.

(3) The offense described in this section, failure to keep camper, trailer or truck in the right lane, is a Class C traffic infraction.

<1983 c.338 s.621>

Since most school buses weight over 8,000 pounds, they must use only the right lane of any multi-lane road except for passing, preparing to turn left or in response to an emergency.

VEHICLES ON SCHOOL PROPERTY

ORS 332.445 Regulation of vehicles on school property.

(1) As used in this section, "vehicles" means and includes all motor vehicles as defined in ORS 801.360 and every other mechanical device in or on which a person or thing is or may be carried and which is intended for such use.

(2) A district school board by resolution may make, modify or abolish rules prohibiting, restricting or regulating the operation and parking of vehicles, or particular classes or kinds of vehicles, upon property controlled by the district, as the board considers convenient or necessary for the policing of such property.

(3) The rules promulgated under subsection (2) of this section shall become effective when appropriate signs giving notice thereof are erected upon such property.

(4) Every peace officer may enforce the rules promulgated under subsection (2) of this section.

(5) The district and any municipal corporation or any department, agency or political subdivision of this state may enter into agreements or contracts with each other for the purpose of providing a uniform system of enforcement of the rules promulgated under subsection (2) of this section.

Every school district is authorized to regulate traffic on school property. When such rules are properly adopted and signs posted these rules are enforceable by police officers.

LICENSE PLATES

ORS 820.130 School bus registration.

The division shall issue registration for a school bus when notified that the vehicle conforms to applicable rules under ORS 820.100 to 820.120 and that the vehicle is safe for operation on the highways. Notification required by this section shall be from:

(1) The Department of Education or its authorized representative regarding vehicles under its regulatory authority.

(2) The State Board of Higher Education or its authorized representative regarding vehicles under its jurisdiction.

<1983 c.338 s.752; 1985 c.420 s.17>

ORS 820.140 Revocation of registration.

The division may revoke the registration of any school bus if the division determines that the vehicle:

(1) Is not maintained and operated in accordance with rules applicable to the vehicle under ORS 820.100 to 820.120; or

(2) Is not safe for operation over or is not safely operated over the public highways.

ORS 805.050 School busses and school activity vehicles; exceptions.

(1) The division shall provide for registration of vehicles that qualify under this section in a manner that is consistent with this section. A vehicle qualifies for registration under this section if the vehicle meets the following qualifications and is not a vehicle that is described under subsection (2) of this section:

(a) The vehicle must be a motor vehicle.

(b) Except as provided under ORS 803.600, the vehicle must be used exclusively in transporting students to or from any school or authorized school activity or function, including extracurricular activities, and to or from points designated by a school.

(c) The vehicle must meet the requirements for school busses under ORS 820.100 to 820.120, or activity vehicles under ORS 820.110 and 820.120.

(d) The vehicle may be owned, operated or leased by the state, a city or county or any other political subdivision or otherwise provided to such government body for purposes described in this subsection or may be privately or otherwise owned and leased by or provided to a school for purposes described in this subsection.

(2) The following vehicles may not be registered under this section:

(a) A vehicle subject to regulation under ORS chapter 767.

(b) A vehicle regulated by a city under ORS 221.420.

(3) Except as otherwise provided by this section, vehicles registered under this section are subject to the same requirements and provisions for registration as are other vehicles. The following requirements and provisions are different from those otherwise provided for registration:

(a) The registration period for vehicles subject to this section shall be an ownership registration period as described under ORS

803.400, except that the registration continues valid if the ownership of the vehicle is transferred to another who continues to use the vehicle for purposes allowed under the registration.

(b) The fee for registration of the vehicles shall be the fee for registration of school busses established under ORS 803.420, and no other registration fee shall be required.

(c) Special registration plates described under ORS 805.200 shall be issued by the division for the vehicles.

(d) Unless a vehicle registered under this section is transferred so that it is owned by another who continues to use the vehicle for purposes allowed under the registration, the special registration plates issued for the vehicle shall be immediately removed from the vehicle upon transfer of the vehicle.

(e) Any vehicle registered under this section and not exempted under ORS 815.300 shall meet the requirements for certification of compliance with pollution control under ORS 815.310.

(4) The division shall suspend or revoke registration under this section and shall demand the surrender of any registration plates issued under this section if the division determines that:

(a) A vehicle registered under this section is being used for purposes other than those required for qualification for registration under this section, and a trip permit as provided under ORS 803.600 has not been obtained.

(b) The vehicle does not comply with requirements under ORS 820.100 to 820.120.

(5) A person who fails to surrender registration plates to the division when the division suspends or revokes registration under this section and demands the surrender of the registration plates is subject to the penalties under ORS 809.080, for failure to return revoked or suspended registration plates.

<1985 c.547 s.11>

Under these laws the Department of Education approves school buses before license plates are issued by the Motor Vehicles Division. Failure to maintain a school bus in accordance with regulations can result in the revocation of the license plates.

The 1985 Legislature placed school activity vehicles under the regulatory authority of the Department of Education. These vehicles also require notification for licensing.

CHAPTER II

REGULATIONS GOVERNING PUPIL TRANSPORTATION ADMINISTRATION

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ADMINISTRATION OF PUPIL TRANSPORTATION

Definitions

OAR 581-53-002

(1) Definitions of terms used in OAR 581-53-002 through 581-53-550 shall be as follows:

(a) A school bus shall be as defined in ORS 801.460.

(b) A school activity vehicle shall be as defined in ORS 801.455.

(c) Pupil transporting vehicles shall include all school buses as well as other vehicles which are owned or under contract with the school districts, private or parochial schools and are used to transport pupils to or from school or an authorized school activity or function.

Illegal Operation Prohibited

OAR 581-53-002

(2) No school district or other employer shall require or knowingly permit any person to operate a school bus or other pupil transporting vehicle in violation of any applicable rules of the Oregon Department of Education or Oregon laws.

Transportation Policy Required

OAR 581-53-002

(3) School districts shall provide and implement written transportation policy.

Maintenance

OAR 581-53-002

(4) School buses and all other pupil transporting vehicles shall be maintained in safe operating condition and shall meet or exceed the minimum standards in effect at the time of purchase plus any subsequent rules applicable to the vehicle.

Maintaining buses in condition to conform with applicable minimum standards is required.

OAR 581-53-002

(5) Any additions of vehicle equipment or alterations in the vehicle construction not provided for in the applicable Minimum Standards for Oregon School Buses or school activity vehicle are prohibited without prior approval from the Oregon Department of Education.

Nonstandard items may not be added to a bus. Required items may not be removed from a bus.

OAR 581-53-002

(6) All school buses and school activity vehicles which will be transporting students for the first time in a school system must conform, or be made to conform within thirty days of notice of nonconformity, to the Minimum Standards for Oregon School Buses or school activity vehicles currently in force as they apply to each vehicle. Oregon Department of Education personnel may give a written order that a vehicle is unsafe and shall not be used to transport students when there is reason to believe that a deficiency is such that continued operation of the vehicle may jeopardize the safety of students or public. The vehicle owner shall notify the Oregon Department of Education that the deficiency is corrected before transporting students.

(7) Vehicle maintenance records shall be kept for each vehicle used to transport students. These records shall be available to Department of Education personnel upon request. The following minimum information shall be kept for each

vehicle by date and mileage at the time of service, adjustment or repair:

- *(a) Chassis lubrications;*
- *(b) Engine oil and filter changes;*
- *(c) Major engine tune-ups and repairs;*
- *(d) All adjustment, service and repair of brake system;*
- *(e) All adjustment, service and repair of steering mechanism and other related parts;*
- *(f) Tires; and*
- *(g) Drive train components.*

Suggested forms for these records are available from the Oregon Department of Education, Pupil Transportation Services.

Seating

OAR 581-53-002

(8) A seat that fully supports the passenger shall be provided for every passenger on all pupil transporting vehicles. Seating is not permitted on any portion of the vehicle not designed for that purpose. Passengers shall not be permitted to stand while vehicle is in motion.

Pupil Instruction

OAR 581-53-002

(9) Safety instruction:

- *(a) All regularly transported pupils in schools which provide pupil transportation shall receive the following instruction at least once within the first six weeks of the first half and once within the first six weeks of the second half of each school year:*
  - *(A) Safe bus riding procedures, including but not limited to loading, unloading, crossing, etc.;*
  - *(B) Use of emergency exits; and*
  - *(C) Planned and orderly evacuation of the bus in case of emergency, including participation in actual evacuation drills.*

(b) All pupils in schools where pupil transportation is provided who are not regularly transported shall receive the following instruction at least once in the first half of each school year:
(A) Safe bus riding procedures; and
(B) Use of emergency exits.

(c) Records listing safety instruction course content and dates of training shall be maintained locally.

Regularly transported students must receive instruction including evacuation drills at least twice in each school year. Other students must receive instruction at least once. See advisory section for training tips.

Equipment Updating

OAR 581-53-002

(10) All school buses manufactured prior to September 1, 1979 shall be equipped to meet all requirements of the applicable Minimum Standards for Oregon School Buses in effect on that date.

Refer to Minimum Standards for Oregon School Buses (**OAR 581-53-517**) for standards applying to these items.

Driver Training

OAR 581-53-002

(11) School systems shall provide for the required training, examination and testing of their school bus and school activity vehicle drivers to comply with Oregon Department of Education rules. Records to document training and testing shall be maintained by school systems. Such records shall be made part of each driver's driver-training record file. Records shall be made available to Oregon Department of Education personnel or the driver upon request.

(12) All school districts or contractors employing school bus drivers shall immediately notify the Department of Education if they have reason to believe any change in the driver(s)' criminal or driving record has occurred which could affect licensability under the provisions of OAR 581-53-006(8).

Used Buses

OAR 581-53-002

(13) Schools or contractors selling a used school bus shall be responsible for removing all markings that would identify it as a school bus including the bus safety lights.

Exception: If the bus is sold for the purpose of transporting school children to and from school, the bus identification and bus safety lights need not be removed. If sold for the purpose of transporting workers, the bus safety lights need not be removed.

Rebuilding Buses

OAR 581-53-002

(14) Schools or contractors planning to rebuild a school bus shall first secure approval from the Pupil Transportation Services, Oregon Department of Education. (This does not apply to repair of damage.) All rebuilt buses must meet current Oregon Minimum Standards for School Buses and applicable Federal Department of Transportation regulations.

Special Vehicles

OAR 581-53-002

(15) Special vehicles used for transportation of students with disabilities or for specific educational purposes which do not meet all current Oregon Minimum Standards for School Buses must be approved by the Pupil Transportation Services, Oregon Department of Education.

(16) Appeal for Variance.

(a) A school or contractor desiring to purchase a school bus or school activity vehicle which cannot meet all required minimum construction standards for school buses or

school activity vehicles as applicable in Oregon must forward an "Appeal for Variance" request to the State Superintendent of Public Instruction, Salem, Oregon. This appeal must be made by the local school superintendent, and contain at least the following information:

(A) The need for such a vehicle;

(B) Why a standard school bus or school activity vehicle will not suffice;

(C) List of items which will not meet applicable standards; and

(D) Passenger capacity of vehicle.

(b) This variance provision is designed for unique changes or alterations necessary to accommodate special equipment or conditions.

Accident Reporting

OAR 581-53-002

(17) In case of an accident involving serious injury or death, the Oregon Department of Education shall be notified immediately.

See Chapter III for regulations governing all accident reporting.

CHAPTER III

REGULATIONS GOVERNING PUPIL TRANSPORTATION OPERATION

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SCHOOL BUS DRIVER TRAINING AND LICENSING

License or Permit Required

OAR 581-53-006

No person shall transport pupils in a school bus or a vehicle with a capacity of more than twenty passengers not subject to regulations of the Oregon Public Utilities Commission or Federal Department of Transportation, unless such a person has completed all requirements for a school bus driver's permit or license and meets the standards established by the Department for issuance of permits or licenses. Emergency drivers who meet all requirements listed in OAR 581-53-006(4) may only operate a school bus within the prescribed limitations.

School Bus Driver Permits

OAR 581-53-006

(1) School Bus Driver Permits. The Oregon Department of Education shall issue a school bus driver permit to applicants who meet the permit criteria but do not qualify for a school bus driver's license. A person cannot reapply for a permit for at least 12 months from date of permit expiration. An applicant must meet the following criteria to qualify for a school bus driver permit. The applicant shall:

- ***(a) Possess a valid driver-chauffeur's or Class 1 or 2 license;***
- ***(b) Pass an approved physical examination within six months prior to application;***
- ***(c) Pass a behind-the-wheel test as prescribed by the Oregon Department of Education within one year of application. This permit shall not be valid in a vehicle with a greater passenger capacity than the vehicle in which the test is taken;***
- ***(d) Pass a check of driving and criminal records by the Oregon Department of Education;***
- ***(e) File with the Department an application provided by the Department signed by the local employer's designated official assuring***

immediate notification to the Department any knowledge of the applicant's driving and/or criminal record status that could affect their licensability as listed in OAR 581-53-006(8);

(f) Complete a minimum of ten hours of approved behind-the-wheel training by a trainer certified by the Oregon Department of Education within one year of application. Hours of behind-the-wheel training shall be those hours spent by the trainee with a certified trainer or a designated assistant in actual operation of the vehicle or vehicles the applicant will be expected to drive;

(g) Read and speak the English language sufficiently to converse with the general public, to understand highway signs and signals in the English language, to respond to official inquires and make entries on reports and records.

(h) Exemption: If an applicant has regularly driven a bus of a size and type similar to that which the driver will be expected to drive, for a period of at least six months within the past three years, the applicant shall be required to complete four hours of approved behind-the-wheel training. The employer must have written acknowledgment from the applicant's previous employer verifying bus driving experience if this exception is to be exercised.

(See "Expiration" on page 43.)

Behind-the-wheel testing shall be performed by certified behind-the-wheel trainers.

School Bus Driver's License

OAR 581-53-006

(2) School Bus Driver's License. The Oregon Department of Education shall issue an original school bus driver's license to qualified individuals who meet the following requirements:

(a) Has filed with the Oregon Department of Education an application or school bus permit conversion card provided by the Department, signed by an official designated by the local employer certifying that the driver:

(A) Has completed the Core Course for school bus drivers within the last four years;

(B) Possesses a valid first aid card which verifies that the applicant has completed at least the Red Cross Multimedia course requirements or an equivalent course approved by the American Red Cross, the Federal Mine Safety and Health Administration, the Occupational Safety and Health Administration, or the Oregon Accident Prevention Division of the Workers' Compensation Department. A valid first aid card shall be maintained at all times;

(C) Has demonstrated the knowledge and ability to perform the duties of a school bus driver;

(D) To the best of the local employer's knowledge, has not been convicted of any driving or criminal offense listed in OAR 581-53-006(8) which could prevent licensing; and

(E) Has a training record on file with the local employer meeting the requirements of the license being requested.

(b) Possesses a valid permit; or:

(A) Possesses a valid driver-chauffeur or class 1 or 2 license. The Oregon Department of Education may approve an out of state operator's license if it is consistent in provisions with the required Oregon license;

(B) Has passed an approved physical examination within six months prior to application;

(C) Has passed a behind-the-wheel test as prescribed by the Oregon Department of Education within one year of application. The license shall not be valid in a vehicle with a greater

passenger capacity than the vehicle in which the test is taken;

(D) Has passed a check of driving and criminal records by the Oregon Department of Education;

(E) Has completed a minimum of ten hours of approved behind-the-wheel training by a trainer certified by the Oregon Department of Education within one year of application. Hours of behind-the-wheel training shall be those hours spent by the trainee with a certified trainer or a designated assistant in actual operation of the vehicle or vehicles the applicant will be expected to drive.

(F) Reads and speaks the English language sufficiently to converse with the general public; understands highway signs and signals in the English language; responds to official inquiries and makes entries on reports and records.

(c) Exemption: If an applicant has regularly driven a bus of a size and type similar to that which the driver will be expected to drive, for a period of at least six months within the past three years, the applicant shall be required to complete four hours of approved behind-the-wheel training. The employer must have written acknowledgment from the applicant's previous employer verifying bus driving experience if this exception is to be exercised.

(See "Expiration" on page 43.)

License Renewal

OAR 581-53-006

(3) The Oregon Department of Education shall renew a school bus driver's license for the driver who:

(a) Possesses, or has possessed within the last twelve month period, a valid Oregon School Bus Driver's License;

(b) Possesses a valid driver-chauffeur or class 1 or 2 license. The Oregon Department of Education may approve an out of state operator's license if it is consistent in provisions with the required Oregon license;

(c) Has passed an approved physical examination within six months prior to application;

(d) Has passed a check of current driving records by the Oregon Department of Education;

(e) Has filed with the Oregon Department of Education an application provided by the Department, signed by an official designated by the local employer certifying that the driver:

(A) Has completed the Core or Core Refresher Course for school bus drivers within the last four years;

(B) Possesses a valid first aid card which verifies that the applicant has completed at least the Red Cross Multimedia course requirements or an equivalent course approved by the American Red Cross, the Federal Mine Safety and Health Administration, the Occupational Safety and Health Administration, or the Oregon Accident Prevention Division of the Workers' Compensation Department. A valid first aid card shall be maintained at all times;

(C) Has completed Oregon Department of Education approved classroom training averaging at least eight hours annually while licensed as a school bus driver during the preceding four-year period.

(f) Has been certified as able to satisfactorily perform the duties of a school bus driver by the official designated by the local employer on forms provided by the Oregon Department of Education;

(g) To the best of the local employer's knowledge, has not been convicted of any driving or criminal offense listed in OAR 581-53-006(8) which could prevent licensing;

(h) Has training record on file with local employer that meets the requirements of the

license being requested;

(i) Makes application for a license within four months before expiration or within one year after expiration of a current license. Any driver whose school bus driver's license has been expired for twelve months or more will be considered an original applicant;

(j) The license shall not be valid in a vehicle with a greater passenger capacity than the vehicle in which the test is taken:

(A) Any driver need pass a behind-the-wheel test only once as long as the driver maintains a valid school bus driver's license.

(B) Any driver may upgrade the stated passenger capacity on the school bus driver's license by passing a behind-the-wheel test in the vehicle with the higher passenger capacity and submitting the prescribed documentation to the Oregon Department of Education.

(C) Additional tests may be required by the Oregon Department of Education if reasonable doubt of driver competency exists.

(See "Expiration" on page 43.)

Emergency Drivers

OAR 581-53-006

(4) Emergency Drivers. A person who does not currently possess a valid school bus driver's license may be used in an emergency if such driver:

(a) Is judged competent by the local school authorities;

(b) Possesses a valid driver-chauffeur or class 1 or 2 license. The Oregon Department of Education may approve an out of state operator's license if it is consistent in provisions with the required Oregon license;

(c) Is on a list of approved emergency drivers maintained by the Oregon Department of Education. An emergency driver must pass the same check of driving and criminal records as required for a regularly licensed

school bus driver. The emergency driver shall meet all qualifications prescribed on the emergency driver application. This form must be signed by the chief administrative officer of the school district and submitted to the Oregon Department of Education for approval. Approval as an emergency driver shall expire of July 1 annually.

(d) Emergency drivers shall not drive after the end of an emergency or after ten driving days, whichever comes first. No emergency driver may be used in more than two emergencies in any school year without written permission from the Oregon Department of Education.

Expiration

OAR 581-53-006

(5) Expiration:

(a) Permits expire 120 days after issuance and may not be renewed. The holder of a valid permit may apply for a school bus driver's license at any time all requirements have been met for such license.

(b) For applicants 18 through 54 years of age, a license issued on July 1 shall expire on July 1 two years later. For applicants 55 years of age or older, a license issued on July 1 shall expire on July 1 one year later. Any license issued from March 1 through June 30 shall have the same expiration date as a license issued on the following July 1. Any license issued from July 2 through the last day of February shall have the same expiration date as a license issued on the previous July 1.

Age Restrictions

OAR 581-53-006

(6) Age Restrictions: To obtain an original school bus driver's license or permit or to renew a school bus driver's license following a person's

70th birthday, an applicant shall comply with all licensing requirements and must successfully complete a Department of Education behind-the-wheel test within 30 days prior to the date of application. The test must be administered by a behind-the-wheel tester/trainer currently certified by the Department of Education. A copy of the test shall be attached to the application form.

Physical Examinations

OAR 581-53-006

(7) Physical Examinations:

(a) An applicant for a permit, license, or license renewal must have passed an approved physical examination administered within six months prior to date of application by a physician licensed under the provisions of ORS Chapter 677.

(b) In addition, an EKG shall be required with license application at age 55 or older.

(c) Physical examination and license application forms adopted by the Oregon Department of Education shall be utilized by applicants for school bus driver's licenses. The Bureau of Motor Carrier Safety physical examination form effective January 1, 1986, may be used in lieu of the forms adopted by the Oregon Department of Education.

(d) An applicant will be refused a school bus driver's license unless such person possesses the minimum qualifications described below:

(A) Mental and physical condition:

(i) No impairment of use of foot, leg, finger, hand or arm, or other structural defect or limitation, likely to interfere with safe driving or other responsibilities of a school bus driver. Drivers may be required to demonstrate ability to: open and close a manually operated bus entrance door control with a force of at least 30 pounds; climb and descend steps with a maximum step height of 17-½

inches; operate two hand controls simultaneously and quickly; have a reaction time of ¾ of a second or less from the throttle to the brake control; carry or drag a 125 pound person 30 feet in 30 seconds or less; depress a brake pedal with the foot to a pressure of at least 90 pounds; depress a clutch pedal with the foot to a pressure of at least 40 pounds unless operating an automatic transmission; exit from an emergency door opening of 24 × 48 inches at least 42 inches from the ground in ten seconds or less.

(ii) No mental, nervous, organic, or functional disease or disability likely to interfere with safe driving or other responsibilities of a school bus driver.

(B) Visual acuity of at least 20/40 (Snellen) in each eye either with or without corrective lenses and a binocular acuity of at least 20/40 (Snellen) in both eyes either with or without corrective lenses. Form field of vision shall not be less than a total of 140 degrees and the ability to distinguish colors — red, green, and yellow. Drivers requiring corrective lenses shall wear properly prescribed lenses at all times while driving.

(C) Hearing shall not be less that 7/15 in at least one ear. If audiometric device is used, applicant shall not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard Z24.5-1951. Drivers requiring a hearing aid shall wear such properly operating aid at all times while driving.

(D) The driver shall not use to excess, or be addicted to alcoholic beverages, narcotics, or drugs.

(E) The driver is not qualified to operate a school bus if insulin is necessary to

control a diabetic condition or if the driver has a diabetic condition with a fasting glucose of more than 200 mg/dl.

(F) If the driver has severe hypertension (grade 3 retinopathy), the driver is not qualified to operate a school bus.

(G) The driver is not qualified to operate a school bus if he/she has an established medical history or clinical diagnosis of epilepsy or any other condition likely to cause loss of consciousness or any loss of ability to control a motor vehicle. This section is included to comply with Title 49 CFR 391.41(b)(8).

(e) In cases of serious illness, injury, or change in physical or mental condition which may impair ability to fulfill the duties and responsibilities of a school bus driver as required in OAR 581-53-015 and those described in this rule, re-examination and medical approval are required prior to resumption of driving.

Driving and Criminal Records

OAR 581-53-006

(8) Driving and Criminal Records:

(a) The Oregon Department of Education shall review the driving record of each applicant before a permit or license is issued or renewed. Applicants who have held a driver's license in a state other than Oregon anytime during the preceding three-year period shall furnish upon request a copy of the driving record from such state or states to the Oregon Department of Education at time of application.

(b) The Oregon Department of Education shall review the criminal record of a driver upon original application for a permit or license.

(c) An applicant will be refused a school bus driver's license or a current license shall be suspended or revoked if the applicant or driver:

(A) Has ever been convicted of a sex offense involving force or minors;

(B) Has ever been convicted of a crime involving violence, threat of violence, or theft. This shall not apply if applicant or driver has been free from custody, probation and parole for the preceding three-year period from date of application;

(C) Has ever been convicted of a crime involving activity in drugs or alcoholic beverages. This shall not apply if the applicant or driver has been free from custody, probation, and parole for the preceding three year period from the date of application;

(D) Has had a driver's license suspended by the Division of Motor Vehicles of any state, within the preceding three-year period, for a cause involving the unsafe operation of a motor vehicle or because of driving record;

(E) Has been convicted within the preceding three-year period of:

(i) Hit-and-run driving;

(ii) Driving under the influence of intoxicants as defined in ORS 813.010;

(iii) Reckless driving as defined in ORS 811.140;

(iv) Fleeing or attempting to elude a police officer while driving a motor vehicle;

(v) Failure to perform the legal duties of a driver involved in an accident or collision which results in injury or death of any person.

(F) Has had driving privileges revoked or suspended as a habitual offender under ORS 809.600. This shall not apply if applicant or driver has had driving privileges restored under ORS 809.660 for the preceding three years.

(G) Has a driving record for the preceding three-year period that has an accumulation of 31 or more points based upon the following point system:

(i) Each chargeable accident and each conviction for a moving violation of traffic laws shall have a value of 10 points. A chargeable accident is

one in which the driver is answerable as the primary cause of, or chargeable with the result of an accident.

(ii) One point shall be subtracted from the total number of points for each full month, since the last chargeable accident or conviction, to the time of driving record check; however, all subtracted points will be reinstated if any additional moving violation convictions or chargeable accidents occur within the three-year calculation period.

Refusals and Suspensions

OAR 581-53-006

(9) Refusals and Suspensions.

(a) The Oregon Department of Education may refuse, suspend or revoke the license of a school bus driver for noncompliance with licensing or physical requirements, giving false or incomplete information on application forms, or failure to comply with laws, rules and regulations applicable to school bus drivers. Applications with obvious incomplete or inaccurate information will be returned to the employer with no action taken regarding denial or approval.

(b) Upon suspension or revocation, the licensee shall surrender the suspended or revoked license to the Oregon Department of Education.

(c) Hearings on appeal from refusal, suspension or revocation of school bus driver's licenses shall be pursuant to ORS Chapter 183.

(d) A license may be suspended for any period up to 90 days. If conditions of the suspension have not been met within the suspension period, the license shall be revoked.

Change of Name, Address or Employer

OAR 581-53-006

(10) Change of Name, Address or Employer. Upon change of name, address or employer, a driver must notify the Oregon Department of Education within thirty days. A duplicate license will be issued if necessary.

Application Procedure

To apply for a School Bus Driver's License, a driver should:

1. Obtain "School Bus Driver's License or Permit Application packet" from the employer. This packet will contain the physical examination form, application, and instruction sheet.
2. Fill out application. Complete lines 1 through 10, sign, and date.
3. Take application and medical examination forms to the examining physician. The physician must be licensed under provisions of ORS Chapter 677. Upon completion of the examination, if all physical requirements have been met, the physician is to keep the examination form, sign the application and the medical card.
4. Applicants who have held drivers' licenses in other states in the last three years may be required to provide copies of their driving records from those states.

INCOMPLETE APPLICATIONS WILL BE RETURNED.

PUPIL TRANSPORTING VEHICLE INSPECTION

Annual

OAR 581-53-008

(1) Transporting districts shall have all vehicles used in transporting pupils inspected annually, and certify to the Oregon State Department of Education that all deficiencies have been corrected before September 1 of each year.

(2) The Oregon State Department of Education shall furnish forms for the inspection and for the certification reports.

State

OAR 581-53-008

(3) Oregon State Department of Education personnel may make pupil transporting vehicle inspections at any time or upon request of local school districts. The Department may investigate accidents and examine pupil transporting vehicles involved in accidents as the Department considers necessary.

(4) Upon inspection of pupil transporting vehicles by Oregon State Department of Education personnel, school districts shall be notified in writing of deficiencies. Such deficiencies shall be corrected within 30 days. If the district is unable to cause the deficiency to be corrected within 30 days, the district may submit a written request for an extension of time to the Oregon State Department of Education. Such request may be granted provided the deficiency does not affect the safety of students or public, and is not contrary to Oregon Motor Vehicle Laws.

(5) Oregon State Department of Education personnel may give a written order that a vehicle is unsafe and shall not be used to transport students when there is reason to believe that a deficiency is such that continued operation of the vehicle may jeopardize the safety of students or public.

(6) The district shall notify the Oregon State Department of Education in writing that the deficiency is corrected before transporting students in a vehicle that has been declared unsafe in (5) above.

Driver

OAR 581-53-008

(7) The school bus driver shall inspect the following daily, unless the inspection is performed by other designated employes:

(a) Windshield and wipers;
(b) All outside lights;
(c) Service door;
(d) Tires and wheel lug nuts;
(e) Battery, belts, oil and coolant level;
(f) Horns;
(g) Brakes;
(h) Steering;
(i) Exhaust system;
(j) See that lights, windshield, mirrors, and warning sign is clean;
(k) Emergency equipment;
(l) Emergency exits and audible warning devices.

(8) The school activity vehicle driver shall inspect the vehicle as required by OARs 581-53-545, 581-53-550, or 581-53-555, whichever is applicable.

(9) The driver shall report as soon as possible to the proper official any deficiency or malfunction of any equipment or component of the vehicle.

(10) The driver shall not transport students unless the vehicle is safe to operate.

RULES GOVERNING PUPILS RIDING SCHOOL BUSES

OAR 581-53-010

(1) Pupils being transported are under authority of the bus driver.
(2) Fighting, wrestling, or boisterous activity is prohibited on the bus.
(3) Pupils shall use the emergency door only in case of emergency.
(4) Pupils shall be on time for the bus both morning and evening.
(5) Pupils shall not bring animals, firearms, weapons, or other potentially hazardous material on the bus.
(6) Pupils shall remain seated while bus is in motion.
(7) Pupils may be assigned seats by the bus driver.
(8) When necessary to cross the road, pupils shall cross in front of the bus or as instructed by the bus driver.

(9) Pupils shall not extend their hands, arms, or heads through bus windows.
(10) Pupils shall have written permission to leave the bus other than at home or school.
(11) Pupils shall converse in normal tones; loud or vulgar language is prohibited.
(12) Pupils shall not open or close windows without permission of driver.
(13) Pupils shall keep the bus clean, and must refrain from damaging it.
(14) Pupils shall be courteous to the driver, to fellow pupils, and passersby.
(15) Pupils who refuse to obey promptly the directions of the driver or refuse to obey regulations may forfeit their privilege to ride on the buses.
(16) Rules Governing Pupils Riding School Buses must be kept posted in a conspicuous place in all school buses.

RULES GOVERNING SCHOOL BUS DRIVERS

Observing Laws and Regulations

OAR 581-53-015

(1) School bus drivers shall observe all local and state traffic laws and ordinances.
(2) Drivers shall enforce local school board and Oregon Department of Education rules governing pupils riding school buses.
(3) Drivers shall observe local school board and Oregon Department of Education rules pertaining to school bus drivers.

Railroad Crossings

OAR 581-53-015

(4) After stopping at a railway crossing as required by law, the driver shall open the bus entrance door and driver window, look and listen for an approaching train, then close the door before proceeding across the track.

(See Railroad Crossings in Chapter 1.)

(5) The driver shall assist in conducting student instruction and evacuation drills as directed by the school administration.

(6) Drivers shall report to their employer(s) within 15 days, any conviction for driving or criminal offenses specified in OAR 581-53-006(8) or any involvement in an accident as defined in OAR 581-53-006(8)(c)(G)(i).

(7) A school bus driver shall:

(a) Never drive backwards on the school grounds prior to looking behind the bus, sounding the horn, and placing a responsible person to guard the rear.

(b) Not leave the bus when pupils are in it until the motor is shut off, the brakes set, a manual transmission put in gear and the key removed from the ignition.

(c) Not disengage the clutch or gears to allow the bus to coast.

(d) Stop to load or unload pupils only at designated places.

(e) See that all doors on the bus are kept closed while the bus is in motion.

(f) Bring the bus to a complete stop before taking on or letting off pupils. Whenever possible the driver shall stop at a place where the road may be clearly seen for several hundred feet in either direction.

(g) Not permit anyone to hang on or hitch onto the bus.

(h) Not use a public-owned bus for any purpose other than transporting pupils to and from schools, except on special order of school officials.

(i) Not permit anyone else to operate the bus or controls, except with the permission of school officials or the bus contractor.

(j) Not permit animals or potentially hazardous materials in the bus. Guide dogs are accepted when accompanying blind or deaf persons.

(k) Not permit firearms or other weapons to be carried in the bus.

(l) Not operate the bus with a trailer attached.

(m) Not fill the fuel tank while pupils are in the bus or while the motor is running.

(n) Not transport any person who is not a pupil, a teacher, or an official of the school while traveling the regular route, unless authorized to do so by a responsible school official. School officials may authorize other persons to ride in the school buses on special occasions having to do with school affairs.

(o) Make certain that all aisles and passageways are kept clear.

(p) Not permit signs of any kind to be attached to the bus, except those specifically permitted by law or regulation.

(q) Report to school officials immediately when buses are overloaded as described in OAR 581-53-002.

(r) If any difficulty arises or if disorder prevails in the bus, stop the bus and do not proceed until the situation is remedied. Misconduct of pupils shall be reported to the proper school official.

(s) Maintain a neat and clean appearance and a deportment acceptable within the community.

(t) Not use tobacco on the school bus when students are on or near the bus and shall not permit passengers to use tobacco on the bus.

(u) Not be under the influence of any alcoholic beverage or any drug likely to affect the person's ability to operate the vehicle safely while on duty; shall not consume an alcoholic beverage, regardless of its alcoholic content or any drug likely to affect the person's ability to operate the vehicle safely while on duty or within six hours before going on duty to operate a pupil transporting vehicle.

(v) Not let pupils off the bus except at their designated stop without the authorization of school officials.

(w) Allow time for pupils to be seated before putting the bus in motion.

(x) Complete any training required by the Oregon Department of Education or local employer.

Accident Reports

OAR 581-53-015

(y) Make written reports of accidents involving the pupil transporting vehicle to the Oregon Department of Education. Reports shall be mailed within 72 hours of the accident. Drivers shall use forms provided by, or approved by, the Oregon Department of Education. An accident is defined as an occurrence which results in any of the following:

(A) An injury requiring medical or dental treatment.

(B) Any damage to property other than the pupil transporting vehicle.

(C) Damage to the pupil transporting vehicle in excess of fifty dollars.

(z) Make other reports as required by the local district, the Oregon Department of Education and the Motor Vehicles Division.

Use of Bus Safety Lights

OAR 581-53-015

(8) Use of Bus Safety Lights:

(a) When pupils must cross the highway to board, or after leaving the bus, the driver shall actuate the amber flashing warning lights 100 to 300 feet before the stop. The driver shall stop the bus in the right hand traffic lane. The red lights shall remain flashing until all pupils have safely crossed the roadway.

(b) When pupils need not cross the roadway to board, or after leaving the bus, the driver shall:

(A) When practicable, stop completely off the main traveled portion of the roadway. The driver shall not actuate the bus safety lights.

(B) Where it is not practicable to stop completely off the main traveled portion of the roadway the driver shall actuate the amber flashing warning lights 100 to 300 feet before the stop. The driver shall stop the bus in the

right-hand traffic lane. The red lights shall remain flashing until pupils have safely boarded or left the bus.

(See School Bus Stop Law in Chapter 1.)

Driving Hours

OAR 581-53-015

(9) Driving Hour Limitations:

(a) A driver of a school bus must comply with one of the following two options:

(A) No person shall drive a school bus or other pupil transporting vehicle more than ten total hours during any consecutive fifteen hour period. At the end of ten hours of driving or a fifteen hour period, whichever occurs first, the driver shall not again drive a school bus or pupil transporting vehicle until at least eight hours have elapsed.

(B) The driver of a school bus or pupil transporting vehicle, after driving a regular morning route transporting pupils from home to school, may again operate a bus or pupil transporting vehicle, but not more than eight hours in a consecutive ten hour period or until 12 midnight, whichever occurs first, provided the driver has at least four hours free from actual operation of a bus following the end of the morning route. To qualify under this provision the driver shall have been free from bus driving duties for at least eight consecutive hours prior to the regular morning route.

(b) A driver shall not drive more than three hours continuously without taking at least a fifteen minute break from driving duties.

(c) Emergency extension of driving hours. In the event of an unforeseen emergency, e.g., mechanical breakdown, accident or adverse road conditions, a driver may complete the trip without being in violation of the provisions of this rule if such trip could have reasonably been completed as originally scheduled without violation of this rule.

CHAPTER IV

ADVISORY MATERIAL

Other Regulations: 63

Minimum School Bus Standards **OAR 581-53-512** through **OAR 581-53-527** 63

Type 10, Type 20, and Type 21 Vehicle Standards and Rules for Operation **OAR 581-53-545** through **OAR 581-53-555** 63

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OTHER REGULATIONS

Minimum School Bus Standards

OAR 581-53-512 through **581-53-527** are the minimum standards established by the Department of Education for school bus construction. These standards are available in a booklet titled *Minimum Standards for Oregon School Buses.*

Minimum Standards for Type 10, Type 20, Type 21 Nonschool Bus Pupil Transporting Vehicles

OAR 581-53-545 through **581-53-555** are the standards established by the Department of Education for the construction and operation for Type 10, 20 and 21 nonschool bus pupil transporting vehicles. These standards are available upon request from the Department of Education.

Transportation Reimbursement

OAR 581-23-040 is the formula under which school districts are reimbursed for a portion of their transportation expenses. This regulation is available upon request from the Department of Education.

State Standards for Public Schools

OAR 581-22-720 (1) describes the minimum standards for pupil transportation which must be met for the local district to be considered "standard." This regulation is part of the publication *Elementary-Secondary Guide for Oregon Schools, Part I,* available from the Department of Education.

Driver Seat Belts

The Worker's Compensation Board under the Oregon Safe Employment Act has adopted numerous regulations covering employee safety. Division 56 of the Oregon Occupational Safety and Health Code requires vehicles be equipped with safety belts for the driver and Division 50 deals with the required use of personal protective equipment.

LIABILITY

Many inquiries have been made about the liability of the school bus driver in event of an accident causing death or bodily injury. A review of numerous court cases reveals that each case must necessarily be decided on its own merits. Court decisions have been made on the basis of whether the school bus driver had observed the utmost caution that is characteristic of a careful, prudent person or whether the driver had exercised extraordinary vigilance or had been negligent.

Drivers could be judged negligent if they do not reasonably protect their riders from dangerous activities or conditions. Drivers should always use extreme care, exercise good judgment and follow the laws and rules governing student transportation.

ORS 30.800 is the "Good Samaritan" law. It protects the holder of a current approved first aid card **and certain employers** from charges of negligence resulting from rendering emergency medical assistance that does not violate the standards of reasonable care under the circumstances.

DEFENSIVE DRIVING

A defensive driver is defined as one who is careful to commit no driving errors, who makes allowance for the lack of skill or improper attitude on the part of the other driver, and who does not allow hazards of weather and road conditions or the actions of pedestrians and other drivers to involve him/her in an accident.

Drivers should be continually on the alert, recognize an accident-producing situation far enough in advance to apply the necessary preventive action and concede the right-of-way when necessary to prevent an accident.

It is suggested that school bus drivers complete a Defensive Driving Course periodically.

Examples of Defensive Driving

At Intersections

Accidents at intersections can be prevented if drivers use common courtesy and obey traffic regulations. Drivers must

approach, enter, and cross intersections slowly and cautiously, keep vehicles under control, be alert to accident-producing situations, and be prepared to avoid violators.

Drivers must respect the right-of-way of others and be ready and willing to yield when it will prevent an accident. Expert drivers do not depend solely on lights, signals, or other regulations to protect them at intersections, but are prepared to protect themselves and avoid accident-producing situations.

An expert driver realizes that a vehicle making a turn at an intersection very often creates a temporary traffic block. The driver is considerate of other drivers making turns and uses extreme care in making turns. The driver can prevent such accidents by properly positioning the vehicle ahead of the turn, but only when this can be done safely.

When Backing

Any vehicle being moved in reverse must yield the right-of-way. Vehicles can be backed safely if the driver will take the necessary precautions such as getting out to look at the situation behind the vehicle, using the rearview mirrors, and having someone direct the driver. A good driver backs slowly and cautiously and watches traffic conditions behind the vehicle at all times. Backing should be avoided when possible.

To Avoid Rear-end Collisions

Rear-end collision accidents are preventable. It is a driver's duty to follow at a safe distance and have the vehicle under control. If the vehicle ahead makes an emergency stop, the driver must be prepared to stop before making contact with the vehicle ahead. Good drivers signal their intention and stop gradually. Most rear-end collisions can be avoided by foresight in controlling speed and allowing sufficient following distance. Traffic ahead of the vehicle, in front of the bus, should be watched so that any need to stop may be anticipated.

At Railroad Crossing

Trains always have the right-of-way. If a driver is involved in an accident with a train, the accident is considered preventable. (See Railroad Crossings Chapter I and III.) Expert drivers depend on their eyes and ears and not only an automatic signaling devices. They do not rush past the end of a passing train until they are sure there is not another train coming on another track.

To Avoid Stationary Objects

Accidents such as scraping or striking curbs, mailboxes, fence posts, buildings, signs, trees, bridges, parked vehicles, and various other obstructions are generally of minor severity, but serious because of their frequency. Such accidents must be considered preventable.

The more severe accidents, resulting in overturning, running off the roadway, and colliding with stationary objects, sometimes are caused by taking emergency action to avoid another accident. However, the circumstances usually reveal that the driver was not driving defensively prior to the accident. A defensive driver would not be placed in a situation where emergency action became necessary. Expert drivers don't depend on their skill to get them out of tight spots. They depend on their judgment to avoid emergency situations.

In Traffic

Accidents resulting from passing, weaving, squeeze plays, shutouts, or entering a line of moving traffic, have no place on the record of school bus drivers. Such accidents are caused by trespassing on the rights of others to move in a straight line without interference. Weaving, either from lane to lane or within one lane, is discourteous and can be disastrous. Expert drivers stay on the right side of the road except when passing.

The first requirement for passing is sufficient clearance, which is regulated by oncoming traffic and following traffic. An expert driver signals the intention to pass before passing and waits until the driver ahead is aware of this intention. The driver makes sure that no driver at the rear is about to pass, and is ready to drop back if a passing vehicle cuts in front of the bus too soon.

To Prevent Mechanical Failure

It is the driver's responsibility to know the mechanical condition of the bus. This can be done by frequent and thorough

inspections. The driver must operate the bus within its mechanical ability at all times. Any accident blamed on mechanical failure which by reasonable and prudent attention could be foreseen — but was not reported for repair — should be considered preventable. Any accident blamed on mechanical failure as a result of a driver operating the vehicle in excess of its mechanical ability, or any accident blamed on mechanical failure that resulted from a driver's rough or abusive handling, should be considered preventable.

During Adverse Weather Conditions

Rain, snow, sleet, fog or icy pavement seldom cause an accident. These conditions add more hazards to driving and make the normal hazards worse. Accidents are caused by drivers who do not adjust their driving to meet these conditions. Accidents blamed on skidding or bad weather conditions are classed as preventable. Expert drivers can drive safely on extremely slippery surfaces by reducing speed, installing chains, and using sand when necessary.

To Protect Pedestrians

Preventing pedestrian accidents requires the courtesy of allowing pedestrians to complete their crossing without interference. An expert driver should refrain from confusing or startling a pedestrian with loud horn blasts or putting the vehicle in motion before the pedestrian has completed the crossing. Drivers should be prepared for jay-walkers, persons stepping out from behind parked vehicles, and children darting into the road or street.

When Emotionally Upset

A person should not drive a school bus when emotionally upset to the point it may impair their ability to operate the vehicle safely. If the driver has a quarrel with a patron, a student, or a member of his/her own family, sufficient time should be taken to become calm before driving the bus. The driver who becomes emotionally upset while enroute should park the bus at the first opportunity that it can be parked safely and allow sufficient time to regain composure. An expert driver should try to keep an even temper and be careful about what is said and how it is said.

When on Rural Roads

Driving on rural roads is dangerous only if the driver does not adjust the speed to meet road conditions. The driver is faced with such hazards as narrow roads, sharp turns, narrow bridges, rough roads, and road dust. Such hazards can be overcome by adjusting speed and being alert for drivers who violate both the law and driving courtesy. Be prepared to yield the right-of-way to such drivers at all times.

1. Reduce the speed of the bus before entering a turn or curve.
2. Slow down, because the force of turning will tend to pull the bus sideways, resulting in loss of control.
3. Remember that the amount of side-slope, sharpness of the curve, road surface, and other factors determine the speed at which the bus can be driven safely.

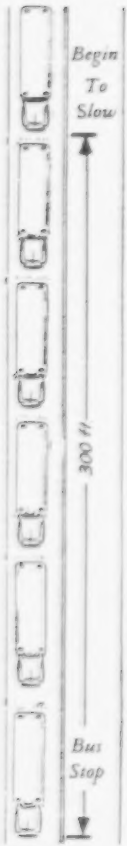
During Night Driving

Drivers can help prevent accidents if they realize how easy it is to be deceived by what they see at night and if they observe the following cautions:

1. Reduce speed at night. Don't "overdrive your lights." The driver should always be able to stop within the distance that can be seen. (See brake performance table, page 68.)
2. Turn on lights. The most dangerous driving period is during the twilight hours.
3. Lower beams for approaching vehicles. By blinding oncoming drivers with high beams, a driver multiplies the chances for an accident. Be sure that all lights are working and are properly adjusted. When meeting a vehicle with bright lights, a driver should focus his/her eyes on the right shoulder of the road.
4. Watch for pedestrians at night.
5. Stop and rest when possible on long trips.
6. Never wear sun glasses at night.
7. Keep bus windows and windshield clean for good vision.

Limitations on driving hours for school bus drivers are described in **OAR 581-53-015 (8)**.

Safe Stop for Loading and Unloading on Highway



1 Use rear-view mirror

2 Turn on amber flasher lights

3 Brake gradually

Do not coast

4 Depress clutch
(if equipped)

5 Stop

Use foot brake

Activate red flashing lights

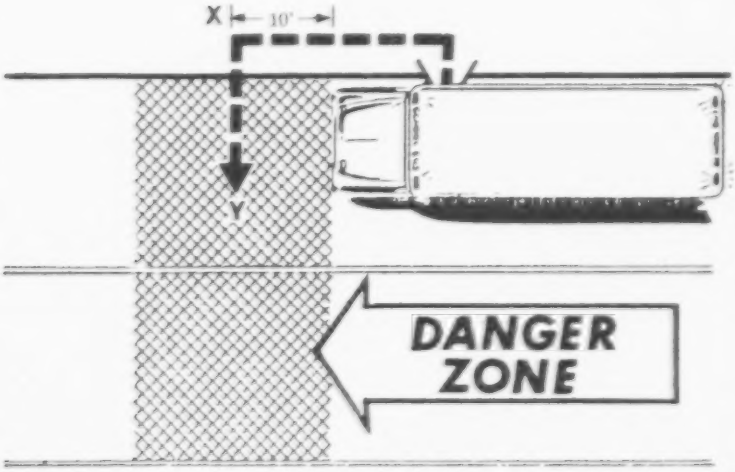
OPERATING TECHNIQUES

Safe Stop for Loading and Unloading

Follow these rules for smooth stopping, loading, and unloading on the highway:

1. Use rearview mirror
2. Activate flashing amber lights
3. Brake gradually — do not coast
4. Depress clutch
5. At stop use foot brake
6. Activate red flashers with due regard to approaching traffic
7. Be sure traffic is stopped before opening the door at unloading points.

Unloading on the Route



When stopping the bus on the highway, the driver should instruct students to go to point "X" and wait if they are going to cross. After determining that the way is clear, the driver may instruct students to cross.

Students should also be instructed to stop at point "y" and look before crossing further into the danger zone. The driver should not proceed until students are seen to be out of danger.

(See School Bus Stop Law, Chapter 1.)

Delayed Braking and Sudden Stops

A skillful bus driver applies brakes in such a way as to make smooth, gentle stops. When following another vehicle, the driver controls the speed, leaves plenty of space between the bus and the vehicle ahead, and is prepared for a smooth stop at all times.

A good school bus driver knows each stop for loading and unloading. The driver slows down well in advance of scheduled stops and slowly applies brakes. Smooth stopping is a sign of skillful driving.

The driver who slams on the brakes at the last possible moment lacks skill. This may cause the passengers to suffer broken bones, head injuries, broken teeth, bruises, and other injuries. The sudden-stop driver invites the following types of accidents:

1. A front-end collision with a vehicle ahead (probably stopped), because of misjudging the stopping distance required.
2. A passenger accident, resulting in students being thrown out of their seats when the driver misjudges stopping distance required and suddenly applies brakes.
3. A rear-end collision. This accident may be avoided if the driver watches the rearview mirror for following traffic and anticipates the need for an emergency stop.

The brake performance for school buses is given in the following table:

Brake Performance for School Buses

(1) Speed in Miles Per Hour	(2) Speed in Feet Per Second	(3) ¾ Second Average Reaction Distance	(4) Braking Distance in Feet	(5) Total Stopping Distance in Feet
20	29.3	22	22	44
30	44	33	49 ¼	82 ¼
40	58.6	44	88	132
55	80.5	60.5	170	230

Column (3) shows the distance a bus will travel while a driver takes his foot off the accelerator pedal and puts on the brakes. This is an average distance based on three-fourths of a second reaction time.

With brakes operating up to minimum standards the driver should be able to stop an empty bus, after brakes are applied, within the distance shown in column (4). Notice that this distance increases four times when the speed is doubled.

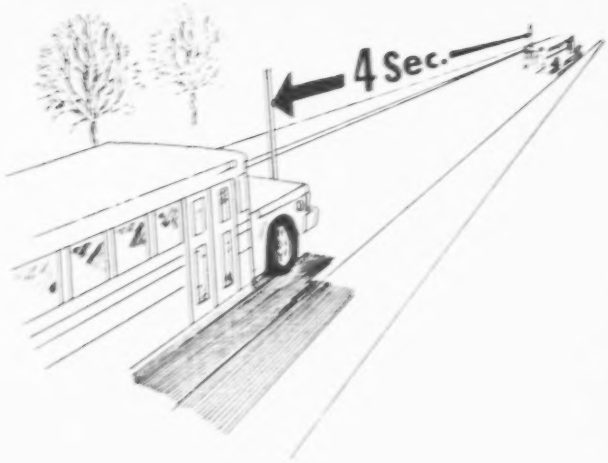
Column (5) is the sum of columns (3) and (4).

The above figures are for panic stops with an unloaded bus under ideal conditions. The braking distance will be increased by loading, wet or slippery roads, downhill grades, and poorly maintained equipment.

Following Another Bus or Vehicle

When following another bus or vehicle, a school bus driver should:

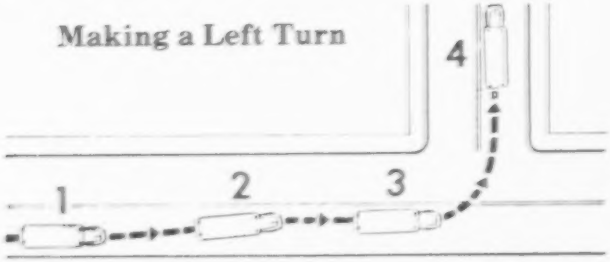
1. Keep an interval of at least four seconds between the bus and the vehicle ahead.
2. When leaving the school grounds, or other parking places, allow enough distance between vehicles to stop safely if the vehicle ahead stops suddenly.
3. Keep a close watch for the "stop" or "turn" signals of all vehicles in front.



Making a Left Turn

In making left turns, the school bus driver should:

1. Slow down and give directional signal at least 100 feet in advance.
2. Pull gradually to left center lane, with directional signal light showing.
3. Check mirrors to be sure no car is attempting to pass from behind. Look to the front to see if another vehicle is approaching.



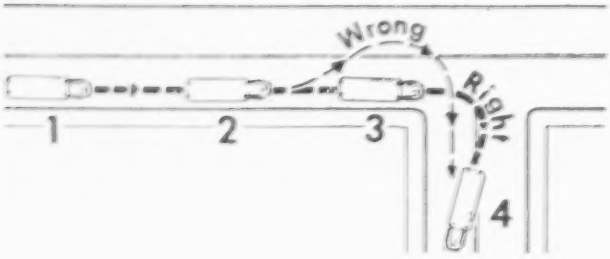
4. Turn slowly left when the way is clear with turn signal showing, and enter the other roadway as close to the right of the center as possible.
5. Remember that a turn signal does not give the driver the right to turn; it indicates the wish to turn and is asking permission to turn.
6. Be sure turn signal is cancelled after completing turn.

Making a Right Turn

In making right turns, the school bus driver should:

1. Approach the turn in the right-hand lane.
2. Slow down and give directional turn signal at least 100 feet in advance.
3. Keep close to the right and turn sharply with signal showing. Don't swing to the left. Watch for vehicles passing on the right.
4. Turn wide after entering the side road, if the turn is difficult or sharp, and gradually drive into the right-hand lane.

Making a Right Turn

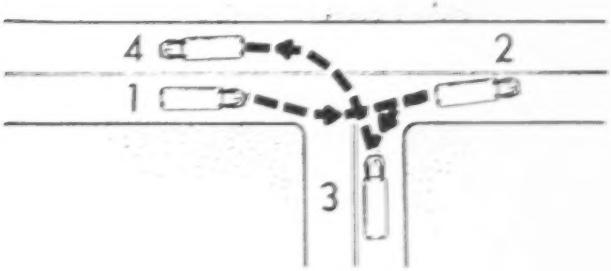


5. Stop, if necessary, before entering a road or street on a wide right turn. Remember, the bus will be out of its proper lane.
6. Be sure turn signal is cancelled after completing turn.

Turning the Bus Around

The approved method of turning a bus is to back into the secondary road or lane so that clear vision is possible as the bus pulls out head-first into the main highway.

Approved Method of Turning the Bus Around Using a Right-Hand Secondary Lane



HANDLING OF ACCIDENTS

Regardless of how small or how serious an accident may be, the driver should be familiar with proper accident procedures. Keep calm, size up the situation, and decide what is to be done first.

Drivers should study and have in the bus *Emergency Procedures for School Bus Drivers*, a booklet published by the Department of Education. The back cover provides a place to write down the important information about an accident that the driver will later need to fill out an accident report form.

1. No matter how insignificant the accident appears to be, always stop immediately and turn off the ignition. Be sure to set parking brake and put bus in gear.
2. If gasoline has been spilled, make sure there is no smoking by anyone present. Move students to a safe distance away from accident and traffic.
3. Determine if there are any injured persons. Ask each student about possible injuries.
4. Examine the injured, giving attention first to the most serious. Do not move injured persons unless absolutely necessary.

5. Make all students as safe and comfortable as possible.
6. If necessary, send a dependable person(s) to notify the school authorities, giving information as to location of the accident, the name of the driver, the bus number, and the school from which the bus operates. (See *Emergency Procedures for School Bus Drivers*, p.1.)
7. If necessary, send a responsible person(s) to telephone for a doctor, ambulance or police and give the location of accident or injured person, nature and extent of injuries.
8. Do not allow bus passengers to leave the scene of an accident without knowing where they are going and with whom.
9. Take necessary steps to prevent further accidents at the scene of the trouble.
   (a) Place triangle reflectors at least 100 feet, but not more than 300 feet, to front and rear of the bus, and a third alongside the bus when a prolonged stop has to be made. On divided highways, place two reflectors to the rear and one alongside the vehicle.
   (b) If, in the driver's judgment, the bus is endangered by fire or dangerously exposed to traffic, the passengers should be evacuated.
   (c) If possible, remove wreckage from highway.
10. Collect information necessary to fill out the accident report form.
   (a) Get the name(s) and address(es) of the owner(s) of the other vehicle(s) or damaged property, and witness(es) to the accident.
   (b) Be courteous to the other driver and keep calm.
   (c) Do not place the blame for the accident or make an admission of liability. The report will reveal the facts of the accident and the cause.
   (d) The driver should report immediately to the school administrator any accident in which the bus and/or any of the students riding in it are involved.
   (e) Fill out all accident report forms. Be sure the reports are complete and give a clear description of exactly what happened. Note and record the positions of the vehicles, the road condition, the weather condition, the amount of damage, and all other facts pertaining to the accident.
   (f) The driver shall submit a state accident report (obtained from city or state police, sheriff, or Motor Vehicles Division) to police authorities within 72 hours on the standard form **if required by law** when involved in an accident on a public roadway.
   (g) A School Bus Accident Report form shall be

submitted within 72 hours after the accident to the Oregon Department of Education, Pupil Transportation Services, 700 Pringle Parkway SE, Salem, Oregon 97310-0290. This report must be filed regardless of fault, or the location of the accident. School Bus Accident Report forms may be obtained from the Oregon Department of Education. See accident reporting requirements in **OAR 581-53-015 (y)**.

(h) Forms required by the insurance company should be completed as soon as possible after an accident.

(i) If a serious injury or death results from a bus accident or a student crossing the highway before boarding or after leaving a bus, the Coordinator, Pupil Transportation Services, Oregon Department of Education, Salem, Oregon, should be notified immediately by telephone.

FIRST AID

In spite of all precautions, accidents will happen. The driver should be trained so that when an accident occurs, he/she knows what to do. This knowledge will give confidence in the ability to meet the emergency, and therefore create a feeling of confidence in the students.

All school buses are equipped with first aid kits and drivers must have a valid first aid card.* Knowing what not to do is as important as knowing what to do. Competent advice in establishing a first aid program may be obtained from any of the following:

1. American Red Cross
2. Local health officer
3. Local medical association
4. Local rescue squads
5. Accident Prevention Division of Department of Insurance and Finance

It is very important for the bus driver to be calm. The driver has to give instructions, and his/her own actions should set the pattern for calm behavior on the part of the students.

The principle topics usually considered in a study of first aid are:

1. Shock — Recognition and treatment

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*Drivers with permits are allowed up to 120 days to obtain a first aid card.

**Note: Any first aid program used must meet the requirements listed in ORS 30.800, the "Good Samaritan Law."

2. Bleeding
   a. Location of pressure points
   b. Use of bandage, compress and tourniquet
3. Burns — Types and treatment
4. Epilepsy and seizure — Steps to prevent patient from injuring self
5. Treatment of fainting
6. Treatment of head injuries
7. Treatment of eye injuries
8. Broken bones

Moving the Injured or Sick

It is usually best to get help before moving a seriously injured or sick person. Improper methods or transportation often make the injury worse, and haste is usually unnecessary and often harmful.

However, in a traffic accident an injured person oftentimes lies in a dangerous location, such as in a heavily traveled highway or in a burning wrecked automobile or bus.

Adults are usually nearby, and the bus driver should quickly summon help.

It may be injurious to move a fracture victim unsplinted from a wrecked car or a highway, but this is sometimes necessary. The bus driver, with the assistance of adults, should move the injured carefully to the nearest place of safety, and splints should be applied as soon as possible.

The driver may save a life by quickly securing help and by warning oncoming traffic. At the same time the driver must see that other passengers are not in the roadway and that no one is crossing or standing in the highway in a position to be struck by an oncoming car.

TIPS ON STUDENT MANAGEMENT

1. Know and follow state regulations and district policy. A child should not be put off along the route for breach of discipline.
2. Do not attempt to handle a serious problem while the bus is in motion.
3. Be sure students know and understand the rules.
4. Drivers should know the principles of pupil psychology.
5. Never give an order you do not mean to enforce.
6. Give a child time for reaction.

7. Have a reason for what you ask a child to do, and when possible take time to give the reason.
8. Be fair. Do not show favoritism.
9. Be friendly. Show an interest in what they are doing.
10. Commend good qualities and actions.
11. Try to be constructive, not repressive, in all dealings with children.
12. Remember that a sense of humor is extremely valuable.
13. Never strike a child. Use force only to prevent injury or damage.
14. Do not take your personal feelings and prejudices out on the children.
15. Maintain poise at all times. Do not lose your temper. Do not nag, bluff, or be officious.
16. Know what is important. Sometimes it is wiser to overlook some things.
17. Listen for suggestions and complaints from the children.
18. Never hold a child up to public ridicule.
19. Set a good example yourself.
20. A clean bus usually has fewer discipline problems.

TIPS ON SAFETY INSTRUCTION FOR PUPILS

Safety instruction should be developed cooperatively with the school administration and transportation personnel.

Bus riders should be provided with certain information, such as the points described below. Explain that rules are for the protection of everyone.

1. The 15 "Regulations Governing Pupils Riding School Buses," which are posted in each Oregon school bus, should be thoroughly explained.
2. Pupils who must cross the roadway before boarding or after leaving the bus should be told of the hazards and how to cross the road safely. Explain the school bus stop law and the dangers of vehicles which violate the bus safety lights. If pupils cross the road after leaving the bus they should walk at least ten feet beyond the front bumper (demonstrate) so the driver can see them clearly even if they stoop to pick up a dropped article. After they start across they should also stop and look when the roadway can be seen in both directions to be certain that all traffic has stopped. When it is safe, they should cross quickly.

TO THE DRIVER: If possible, stop the bus at least ten feet short of where the pupils normally cross. The number of pupils should also be counted as they leave the bus and after they have crossed the road. Know where they are! A tap of the horn may also be helpful prior to leaving the school or a bus stop.

3. Pupils should be told how to walk to the bus stop and how and where to wait for the bus.
4. Discuss how and why handrails should be used when boarding or leaving the bus.
5. Discuss the importance of being seated quickly, and how to properly exit the bus.
6. Emphasize the dangers of loud noises in the bus especially at railroad crossings.
7. Pupils should also be aware of any local rules.
8. If the above points are discussed at a time other than when emergency evacuation is practiced, the location and proper use of emergency exits should be made clear to bus riders.

Always emphasize safety!

EMERGENCY DRILLS

Emergency evacuation drills are an important part of providing the students with the required instruction in safe bus riding practices.

Drivers should conduct such drills only in the manner, and at the place and time, directed by the school administration.

Some tips on conducting emergency evacuation drills:

1. Select and train student helpers in advance. These students should have parental permission to act in this capacity.
2. Front door drills are the safest for participating students.
3. Rear door drills require special safety precautions.
4. Emergency windows should be explained but not used for actual drills.

The following procedures may be useful in conducting emergency drills.

For a front door drill:

1. Stop the bus, set parking brake, put manual transmission in gear, turn off the engine and remove the key. Unfasten the seat belt.
2. Stand, open the door, face the children, and get their attention.
3. Give the command: "Emergency drill, stay seated, leave all your things in the bus, front evacuation."
4. Tell one student leader to stand outside the front door to count the passengers and assist them as they leave the bus. (Offer a hand; don't pull anyone.)
5. Tell the other student leader to take the children to a place which you name. (It should be at least 100 feet from the bus.)
6. Explain to the pupils that you are going to direct them through the drill. They should exit in the same order without your direction in a real emergency.
   a. Step just behind the first occupied seats, and turn facing the front of the bus. As you go past the seats, motion or tell the children to stand up.
   b. Starting with the right-hand seat, tap the shoulder of the student nearest the aisle to signal those passengers to move out. Say, "Walk, don't run, use the handrail."
   c. Hold your left arm out, to keep the children from leaving the left-hand seat.
7. When the pupils from the right-hand seat have moved forward far enough to clear the aisle, tap the shoulder of the student nearest the aisle in the left-hand seat and dismiss these children.
8. Continue this moving back procedure until the bus is empty.
9. Check to see that everyone is out.
10. Go to the students and tell them what improvements they should make or compliment them for a good job.

Bring the children back to the loading station. Take those who attend the school into the bus to get their belongings, and when you have dismissed them, reload the bus and continue your route.

Rear Door

The children should understand that rear door evacuation works the same way as for the front door. You should have one student leader directing the passengers and one standing outside to help them.

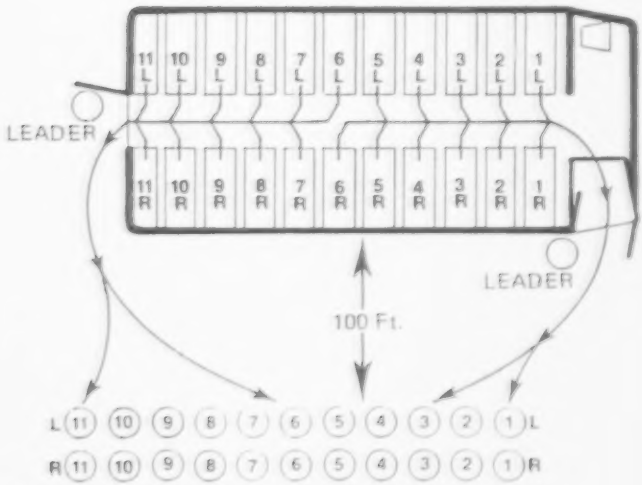
Front and Rear Doors

The following chart shows the pattern for unloading through both the front and the rear doors. In two-door evacuations you will have to depend on your student leaders, one stationed outside each door. Teach them and the other children how to do an orderly exit.

Front and Rear Door Evacuation

66 PASSENGER BUS

(3 persons to a seat)



66 passenger bus – 11 rows of seats on each side
60 passenger bus – 10 rows of seats on each side
54 passenger bus – 9 rows of seats on each side
48 passenger bus – 8 rows of seats on each side

Emergency Exits and Windows

Never attempt an emergency window evacuation drill. Demonstrate how to open and close them.

Students should be informed of the location and operation of all emergency exits that their vehicle has available.

You may never have to use the emergency exits, but everyone needs to know how, just in case!

TRANSPORTING THE HANDICAPPED

The driver must take into account a complicated combination of factors to handle handicapped children effectively.

Discipline on a bus must be a collective effort on the part of the driver, the students, and the appropriate school personnel. Self-discipline is the goal, but some students need the help and guidance of an adult to attain it. The bus driver is important as one of the "team" in educating and guiding students to become responsible for their behavior and to not interfere with the comfort and safety of others traveling to or from school.

This topic is covered more fully in Unit C of the *Advanced School Bus Drivers Course*.

GENERAL INFORMATION FOR THE SCHOOL ADMINISTRATION

The school administration should:

1. Cooperate with ESD superintendent, school boards, state agencies, and drivers in planning school transportation.
2. Cooperate with all agencies in promoting traffic safety.
3. Keep parents and students informed concerning the time schedules and their responsibilities in the transportation program.
4. Plan routes and designate bus stops that will provide maximum safety for those served.
5. Plan and organize an instructional program for pupils regarding the various facets of school transportation.

6. Plan for bus evacuation drills in methods of escape and other emergency procedures and see that these drills are carried out. (See **OAR 581-53-002**.)
7. Secure first-hand information regarding operation by riding bus routes periodically.
8. Assist and advise the drivers in maintaining proper student behavior.
9. Provide for supervision of students when loading or unloading on school premises.
10. Assign a responsible person to accompany the bus driver on trips other than transporting pupils to and from school.
11. Forward to the Coordinator, Pupil Transportation Services, Oregon Department of Education, 700 Pringle Parkway SE, Salem, Oregon 97310-0290, a copy of all accident reports submitted to the school administrator within 72 hours after an accident occurs. (Form 2250) (See **OAR 581-53-015 Section (7) (y)**.)
12. Certify that all pupil transporting vehicles in the district are inspected and repaired according to procedures approved by the Oregon Department of Education. (See **OAR 581-53-008 Section (1)**.)
13. See that vehicles are maintained in safe operating condition.
14. See that a route and time schedule is available for every driver.
15. See that drivers are properly trained and licensed. (See **OAR 581-53-006**.)
16. Be responsible for all phases of school transportation subject to rules and regulations of the local school board, state laws, and regulations lawfully adopted by the State Board of Education.
17. Be responsible for promptly notifying the coordinator, Pupil Transportation Services, Oregon Department of Education, Salem, Oregon 97310-0290, of any illness, injury or change in the condition of a bus driver that might disqualify the driver from driving a school bus. (See **OAR 581-53-006**.)
18. Be responsible for promptly notifying the Coordinator, Pupil Transportation Service, Oregon Department of Education of driving or criminal offenses reported by the driver that might disqualify the driver from driving a pupil transporting vehicle. (See **OAR 581-53-006 (8)** and **OAR 581-53-015 (6)**, **OAR 581-53-545** and **OAR 581-53-550**.
19. See that adequate insurance protection is carried.
20. Develop and maintain a current, board-approved transportation policy (see **OAR 581-53-002**).

GENERAL INFORMATION FOR PARENTS

The purpose of school bus transportation is to provide safe, comfortable and economical transportation for those students living beyond walking distance, as established by local school board policy. Parents should not expect buses to operate over roads that are not properly constructed and maintained, on private lanes leading from the residence to the highway, or on roads where adequate turn-arounds are not provided.

Buses may not transport any persons other than children enrolled in school, teachers, and school officials. Any exceptions must be authorized by a responsible school official.

Students normally will be transported from the school to their regularly designated stops, but in case of emergency, the school authorities may arrange for the driver to pick up or drop the students at another designated spot.

Parents should have students at the bus stops on time and provide written authorization to school officials whenever students are to get off the bus at other than their home stop or school.

In cases where parents wish to take students home from school, arrangements should be made before the bus leaves the school. In no case should parents stop the bus along the highway for the purpose of removing their children.

Parents should instruct their children in safe walking practices and proper behavior on the bus for the safety of all students.

The cooperation of parents and their children with school officials is essential to promote safe and efficient school bus transportation.